

July - Sept

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No. 38.



82  
16/9/82

# भारत का राजपत्र The Gazette of India

Missing  
No. 38

आधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

नं० 28] नई दिल्ली, शनिवार, जुलाई 10, 1982/आषाढ 19, 1904  
No. 28] NEW DELHI, SATURDAY, JULY 10, 1982/ASADHA 19, 1904

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके  
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक  
आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय  
(विधि कार्य विभाग)

नई दिल्ली, 23 जून, 1982

सूचनाएं

कां०आ० 2453—नोटरीज नियम, 1956 के नियम 6 के अंतर्भरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री शिव साहू, बर्हाल मोहल्ला गुवाडी, बड़गाछ, उ०प्र०-271801 ने उक्त प्राधिकारी को उक्त नियम के नियम 1 के अंतर्गत एक आवेदन इस बात के लिए दिया है कि उसे बड़गाछ में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

उक्त व्यक्ति का नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[स० 5(64)/82-न्या०]

MINISTRY OF LAW JUSTICE & COMPANY AFFAIRS  
(Department of Legal Affairs)

NOTICES

New Delhi, the 23rd June, 1982

S.O. 2453.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority under rule 4 of the said Rules, by Shri Shiv Sahai, Vakil, R/o Mohalla 365 GI/82—1

Gudri, Bahraich, U.P.-271801 for appointment as a Notary to practise in Bahraich

2 Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No F 5(64)/82-Jud.]

कां०आ० 2454—नोटरीज नियम, 1956 के नियम 6 के अंतर्भरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एम० आर० प्रेमसिंह, अधिवक्ता -84 थान सिंह नगर, आनन्दपुरा, नई दिल्ली ने उक्त प्राधिकारी को उक्त नियम के नियम 1 के अंतर्गत एक आवेदन इस बात के लिए दिया है कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2 उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[स० 5(29)/82-न्या०]

S.O. 2454.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules,

1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri S. R. Shet Singh, Advocate, XVII-84, Than Singh Nagar, Anand Parbat, New Delhi-5 for appointment as a Notary to practise in Delhi

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(29)/82-Judl.]

का० आ० 2455—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री प्रताप डी० गांधी, एडवोकेट व सॉलिसिटर, वाडिया बिल्डिंग, 3 मंजिल, 17-19, दलाल स्ट्रीट फोर्ट, बम्बई-400023 ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन हम बात के लिए दिया है कि उस बम्बई में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की तारीख के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में भेजे पास भेजा जाए।

[सं० 5(46)/82-न्या०]

के० सी० डी० गंगवानी, सक्षम प्राधिकारी

S.O. 2455.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Pratap D. Gandhi, Advocate and Solicitor, Wadia Building, 3rd Floor, 17-19, Dalal Street, Fort, Bombay-400023 for appointment as a Notary to practise in Bombay.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(46)/82-Judl.]

K. C. D. GANGWANI, Competent Authority

(कम्पनी कार्यें विभाग)

नई दिल्ली, 24 जून, 1982

का० आ० 2456—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में केन्द्रीय सरकार एनद्वारा में आसाम आयल कम्पनी लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र सख्या -485/70) के निरस्तीकरण को अधिसूचित करती है।

चन्द्रशोक खण्डवालकर, निदेशक

(Department of Company Affairs)

New Delhi, the 24th June, 1982

S.O. 2456.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Assam Oil Company Limited under the said Act (Certificate of Registration No. 485/70).

[No. 16/5/82-M.III]

C. KHUSHALDAS, Director

गृह मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 22 जून, 1982

का० आ० 2457.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तु और अनुच्छेद 48 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा

भारतीय सेवा परीक्षा और सेवा विभाग में सेवा करने वाले व्यक्तियों के संबंध में नियंत्रण मंत्रालय परीक्षक से परामर्श करने के पश्चात् मूल नियमों का और संशोधन करने के लिए निम्नलिखित नियम बनाने हैं, अर्थात्—

1. (1) इन नियमों का संक्षिप्त नाम मूल (प्रथम संशोधन) नियम, 1982 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. मूल नियमों के नियम 56 के खंड (अ) के पश्चात् और खण्ड (ट) के पूर्व निम्नलिखित को खंड (अ) के रूप में अन्तः स्थापित किया जाएगा, अर्थात्—

“(अ) (1) यदि समय पूर्व से 1 निवृत्त किए गए सरकारी सेवक के अध्यावेदन पर मामले का पुनर्विलोकन करने पर या अन्यथा सरकारी सेवक की सेवा में पुनः स्थापित करने का विनिश्चय किया जाता है तो पुनः स्थापन के लिए आवेदन करने वाला प्राधिकारी, वेय और अनुसूच्य प्रकार की छुट्टी जिसके अन्तर्गत असाधारण छुट्टी भी है, स्वीकृत करके या उसे अकायचित्त मानकर जो मामले के तथ्यों और परिस्थितियों पर निर्भर करे, समय पूर्व सेवा निवृत्ति और पुनः स्थापना की तारीख के बीच की अवधि को नियमित कर सकेगा।

परन्तु यह कि बीच की अवधि सभी प्रयोजनों के लिए बेतन और भत्तों सहित ह्यूटरी पर व्यतीत अवधि गानी जाएगी यदि पुनः स्थापन का आदेश करने वाले प्राधिकारी द्वारा विनिश्चित रूप से यह अधिनियमित किया जाता है कि समय पूर्व सेवा-निवृत्त मामले की परिस्थितियों में व्यतीत भूटी भी या समयपूर्व सेवा निवृत्ति का आदेश न्यायालय द्वारा अपास्त कर दिया जाता है।

(2) जहां समयपूर्व सेवा निवृत्ति का आदेश न्यायालय द्वारा, समय पूर्व सेवा निवृत्ति की तारीख और पुनः स्थापन की तारीख के बीच की अवधि के विनियमन की बाबत विनिश्चितियों के माध्यम से प्रस्ताव नहीं है, वहां पूर्वोक्त अवधि को न्यायालय के निर्देशों के अनुसार विनियमित किया जाएगा।”

[सं० 25013/9/80-ईस्ट(ए)]

एस० शिखा, उप सचिव

## MINISTRY OF HOME AFFAIRS

(Department of Personnel & Administrative Reforms)

New Delhi, the 22nd June, 1982

S.O. 2457.—In exercise of the powers conferred by the proviso to article 309 and Clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in regard to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Fundamental Rules, namely :—

1. (1) These rules may be called the Fundamental (1st Amendment) Rules, 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 56 of the Fundamental Rules, after clause (j) and before Clause (k), the following shall be inserted as Clause (jj), namely :—

“(jj) (1) If on a review of the case either on a representation from the Government servant retired prematurely or otherwise, it is decided to reinstate the Government servant in service, the authority ordering reinstatement may regulate the intervening period between the date of premature retirement and the date of reinstatement by grant of leave of the kind due and admissible, including extraordinary leave, or by treating it as dies non depending upon the facts and circumstances of the case.

Provided that the intervening period shall be treated as a period spent on duty for all purposes including pay and allowances, if it is specifically held by the

authority ordering reinstatement that the premature retirement was itself not justified in the circumstances of the case, or if the order of premature retirement is set aside by a court of law.

- (ii) Where the order of premature retirement is set aside by a court of law with specific directions in regard to regulation of the period between the date of premature retirement and the date of reinstatement and no further appeal is proposed to be filed, the aforesaid period shall be regulated in accordance with the directions of the Court.

[No. 25013/9/80-Estt. A]  
S. TRIKHA, Dy. Secy.

### वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 19 सितम्बर, 1981

#### अव्यय

क्र०आ० 2458.—संबन्धित जानकारी के लिए यह अधिसूचित किया जाता है कि रुचि, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर विधिम, 1962 के नियम 6(iv) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।

1. वैज्ञानिक अनुसंधान परियोजना : औद्योगिक रसायन-1 बैलिनिन संशोधन के लिए नई प्रक्रिया
2. प्रायोजक : मैमर्स हिन्दुस्तान लीवर लिमिटेड, हिन्दुस्तान लीवर हाउस, 165-166, बैकबे रिक्लेमेशन, मुम्बई-400020
3. प्रायोजन-स्थल : भारतीय विज्ञान, संज्ञान बंगलूर
4. आरम्भ होने की तारीख : 1 सितम्बर, 1981
5. पूरा होने की तारीख : 31 अगस्त, 1983
6. प्राकल्पित व्यय : 1,29,680 रु०

2. भारतीय विज्ञान संस्थान, बंगलूर वित्त मंत्रालय की अधिसूचना सं० 34 तारीख 23 नवम्बर, 1946 द्वारा आयकर अधिनियम, 1922 की धारा 10(2) (iii) के अर्थानु अनुमोदित है।

[स० 4226 (फा० सं० 203/99/81-आई० ई० ए० I)]

### MINISTRY OF FINANCE

(Department of Revenue)

New Delhi. The 19th September, 1981

#### INCOME TAX

S.O. 2458—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section 2(A) of Section 35 of the Income-tax Act, 1961 read with Rule 6(iv) of the Income-tax Rules, 1962 by the Secretary, Department of Science & Technology, New Delhi:

- |  |   |
|--|---|
| Name of the Scientific research project. | New Process for some industrial chemical-I Vanillin synthesis.                              |
| Name of the sponsorer                    | M/s Hindustan Lever Ltd., Hindustan Lever House, 165-166 Backbay Reclamation Bombay-400020. |
| Name of the sponsored at                 | Indian Institute of Science, Bangalore.   |

Date of commencement	1st September, 1981.
Date of completion	31st August, 1983.
Estimated Expenditure	Rs. 1,29,680/-

2. Indian Institute of Science, Bangalore has been approved u/s 10(2) (xiii) of the I.T. Act, 1922 vide Ministry of Finance Notification No. 34 dated the 23rd November, 1946.

[No. 4226 (F No. 203/99/81-ITA. I)]

क्र०आ० 2459.—संबन्धित जानकारी के लिए यह अधिसूचित किया जाता है कि रुचि, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर विधिम, 1962 के नियम 6 (iv) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।—

1. वैज्ञानिक अनुसंधान परियोजना : समर्पण रुचि और औद्योगिक उपकरणों के कुछ वाष्पशील पदार्थों का उद्घाटन का संश्लेषण
  2. प्रायोजक : मैमर्स हिन्दुस्तान लीवर लिमिटेड, हिन्दुस्तान लीवर हाउस, 165-166 बैकबे रिक्लेमेशन, मुम्बई-400020
  3. प्रायोजन-स्थल : दिल्ली विश्वविद्यालय, दिल्ली
  4. अनुसंधान की अवधि : 1 सितम्बर, 1981 से 31 अगस्त 1984 तक
  5. प्राकल्पित व्यय : 1.6 लाख रु०
2. दिल्ली विश्वविद्यालय, दिल्ली, अधिसूचना सं० 34 तारीख 23-11-1946 द्वारा आयकर अधिनियम, 1922 की धारा (10) (2) (xiii) के अर्थानु अनुमोदित है।

[स० 4228 (फा० सं० 203/98/81-आई० ई० ए० I)]

S.O.2459— It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (iv) of the Income-tax Rules, 1962 by the Secretary, Department of Science and Technology, New Delhi:—

- |                                  |  |
|----------------------------------|--|
| 1. Scientific Research Project.  | Synthesis of some long chain aliphatic compounds of potential agricultural and industrial application. |
| 2. Sponsored (a) by              | M/s Hindustan Lever Limited, Hindustan Lever House, 165-166, Backbay Reclamation, Bombay-400020.       |
| 3. Sponsored (b) at              | Delhi University, Delhi.   |
| 4. Duration of Research Project. | 1st September, 1981 to 31st August, 1984.  |
| 5. Estimated expenditure         | Rs. 1.6 lakhs.   |

Delhi University, Delhi stands approved U/s 10(2) (xiii) of the I.T. Act, 1922 by Notification No. 34 dated 23-11-1946

[No. 4228 (F. No. 203/98/81-ITA-II)]

क्र०आ० 2460.—संबन्धित जानकारी के लिए यह अधिसूचित किया जाता है कि रुचि, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित अनुसंधान कार्यक्रम को आयकर विधिम, 1962 के नियम 6 (iv) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है —

1. वैज्ञानिक अनुसंधान परियोजना : पौष्टी में जैववैज्ञानिक रूप से संशोधित योगिकों का विनयन और अभिलक्षणन
2. प्रायोजक : म० जे० एम० पटेल, मिथोगिस्ट्रिकल टुम्स मैयूकैरिंग क० (इंडिया), 105 एपोलो स्ट्रीट, पहली मंजिल, मुम्बई, 400023.
3. प्रायोजन-स्थल : पुणे विश्वविद्यालय, पुणे
4. अनुसंधान परियोजना की अवधि : 1 अप्रैल, 1981 से 29 फरवरी, 1984 तक
5. प्राक्कलित व्यय : 1.5 लाख रुपए

2. पुणे विश्वविद्यालय, पुणे अधिसूचना सं० 510 (फा० सं० 203/46/73-आई टी ए II) तारीख 4-12-1973 द्वारा आयकर अधिनियम, 1961 की धारा 35(1)(ii) के अधीन अनुमोदित है।

[सं० 4225 फा० सं० 203/136/81-आई०टी०ए०-II]

**S.O. 2460.**—It is hereby notified for general information that the following research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (iv) of the Income-tax Rules, 1962 by the Secretary, Department of Science and Technology, New Delhi:

Scientific Research Project.	Isolation and characterization of biologically active compounds from plants.
Sponsored (a) by	Mr. J.M. Patel, Geometrical Tools Manufacturing Co. (India), 105, Apollo Street, First Floor Bombay-400023.
Sponsored (b) at	Poona University, Poona.
Duration of Research project.	From 1-4-1981 to 29-2-1984.
Estimated expenditure	Rs. 1.5 lakhs.

2. Poona University, Poona stands approved under section 35 (1) (ii) of the Income-tax Act, 1961 by Notification No. 510 (F No. 203/46/73-IIA. II) dated 4-12-1973.

[No. 4225 (F No. 203/136/81-ITA.-II)]

नई दिल्ली: 23 सितम्बर, 1981

**आ०आ० 2461.**—इस विभाग की अधिसूचना सं० 2049 (फा० सं० 203/21/78-आई० टी० ए०-II) तारीख 17 जुलाई, 1978 के अनुक्रम में सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6(iv) के साथ पठित, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए प्राकृतिक और अनु-प्रयुक्त विज्ञान के क्षेत्र में "संस्था" प्रवर्ग के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् —

- (i) यह कि इन्स्टीट्यूट आफ इंडियन फाउंड्रीमेन, कलकत्ता, प्राकृतिक या अनु-प्रयुक्त (कृषि/पशुपालन/मानविकी और औषधी से भिन्न) विज्ञान के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि उक्त संस्थान प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रिया कलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रतिवर्ष 30 अप्रैल तक ऐसे प्रारूप में मस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

3 यह कि उक्त संस्थान वार्षिक विवरणी और लेखाओं का विवरण आयकर आयुक्त को प्रति वर्ष भेजेगा।

संस्था

दी इन्स्टीट्यूट आफ इंडियन फाउंड्रीमेन, कलकत्ता।

यह अधिसूचना 9-2-1981 से 8-2-1983 तक 2 वर्ष के प्रभावी है।

[सं० 4244 (फा० सं० 203/123/81-आई०टी०ए०-II)]

New Delhi, the 23rd September, 1981

**S.O. 2461.**—In continuation of this Department's Notification No. 2409 (F. No. 203/21/78-ITA II) dated 17th July, 1978, it is hereby notified for general information that the institution mentioned below has been approved by the Secretary, Department of Science and Technology, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(iv) of the Income-tax Rules, 1962 under the category "Institution" in the area of other natural and applied sciences, subject to the following conditions:—

1. That the institute of Indian foundrymen, Calcutta will maintain a separate account of the sums received by it for scientific research in the field of natural and applied sciences (other than agriculture/animal husbandry/fisheries and medicines).
2. That the said Institute will furnish the annual return of its scientific research activities to the prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year.
3. That the said Institute will submit the annual return and statement of accounts to the Commissioner of Income-tax, every year.

#### INSTITUTION

The Institute of Indian Foundrymen, Calcutta.

This notification is effective for a period of two years from 9-2-1981 to 8-2-1983.

[No. 4244(F. No. 203/123/81-ITA.II)]

**आ०आ० 2462.**—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर नियम, 1962 के नियम 6(iv) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नीचे विनिर्दिष्ट अधि के लिए अनुमोदित किया है —

1. वैज्ञानिक अनुसंधान परियोजना : ऐमीलो अम्ल का सश्लिष्ट उत्पादन
2. प्रायोजक : मेमर्स हिन्दुस्तान सीवर लिमिटेड, हिन्दुस्तान सीवर हाउस, 165-166, ब्लॉक बी रिक्वलेमेंशन, मुम्बई 400020
3. प्रायोजन-स्थल : रामकृष्ण मिशन विवेकानन्द कालेज, मद्रास
4. परियोजना की अवधि : 1 सितम्बर, 1981 से 31 अगस्त, 1983
5. प्राक्कलित व्यय : 89,000 रु०

2 रामकृष्ण मिशन विवेकानन्द कालेज, मद्रास, अधिसूचना सं० 3064 तारीख 9-11-1979 द्वारा आयकर अधिनियम, 1961 की धारा 35(1)(ii) के अधीन अनुमोदित है।

[सं० 4235 (फा० सं० 203/97/81-आई०टी०ए०-II)]



**S.O.2462.**—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6 (iv) of the Income-tax Rules, 1962 by the Secretary, Department of Science and Technology, New Delhi:—

- |                                 |   |
|---------------------------------|---|
| 1. Scientific Research Project. | Synthetic Production of Amino Acids.  |
| 2. Sponsored (a) by             | M/s Hindustan Lever Limited, Hindustan Lever House, 165-166 Backbay Reclamation, Bombay-400020. |
| 3. Sponsored (b) at             | Ramakrishna Mission Vivekananda College, Madras.  |
| 4. Duration of Research Project | 1st September, 1981 to 31st August, 1983.   |
| 5. Estimated expenditure        | Rs. 89,000/-  |

2. Ramakrishna Mission Vivekananda College, Madras stands approved under section 35 (i) (ii) of the Income-tax Act, 1961 by Notification No. 3064, dated 9-11-1979.

[No. 4245 (F No. 203/97/81-ITA. II)]

का० आ० 2463—इस विभाग की अधिसूचना सं० 2453/फा० सं० 203/54/78-आई० टी० ए० II, तारीख 2 अगस्त 1981 के अनुक्रम में सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् भारतीय समाजिक विज्ञान अनुसंधान परिषद् नई दिल्ली ने निम्नलिखित संस्था को आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (III) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (1) यह कि गुजरात इंस्टीट्यूट आफ एरिया प्लानिंग, अहमदाबाद इस छूट के अधीन संकलित निधियों का उपयोग अनन्य रूप से सामाजिक विज्ञान के क्षेत्र में अनुसंधान के लिए ही करेगा।
- (2) उक्त गुजरात इंस्टीट्यूट आफ एरिया प्लानिंग, अहमदाबाद उसके द्वारा इस छूट के अधीन संकलित राशि का हिसाब पृथक् रूप से रखेगा।
- (3) उक्त गुजरात इंस्टीट्यूट आफ एरिया प्लानिंग, अहमदाबाद प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी भारतीय समाजिक विज्ञान अनुसंधान परिषद्, नई दिल्ली को प्रति वर्ष इस छूट के अधीन संकलित निधि और वह राशि, जिससे निधियों छूट की अवधि लिए उपयोजित की गई है, बताने करते हुए भेजेगा।

#### संस्था

गुजरात इंस्टीट्यूट आफ एरिया प्लानिंग, अहमदाबाद

यह अधिसूचना 1-4-1981 से 31-3-1984 तक की अवधि के लिए प्रभावी होगी।

[सं० 4246 (फा० सं० 203/70/81-आई० टी० ए० II)]

**S.O. 2463.**—In continuation of this Department's Notification No. 2453 (F No. 203/54/78-ITA.II) dated 2nd August, 1981, it is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax, 1961, subject to the following conditions :—

1. The funds collected by the Gujarat Institute of Area Planning, Ahmedabad, under this exemption will be utilised exclusively for promotion of research in social sciences.
2. That the Gujarat Institute of Area Planning, Ahmedabad, shall maintain separate accounts of the funds collected by them under the exemption.

3. That the Gujarat Institute of Area Planning, Ahmedabad shall send an Annual report to the Indian Council of Social Science Research, New Delhi, showing the funds collected under the exemption and the manner in which the funds were utilised for the period of exemption.

#### INSTITUTION

Gujarat Institute of Area Planning, Ahmedabad.

This notification takes effect from 1-4-1981 to 31-3-1984.

[No. 4246 (F. No. 203/70/81-ITA.II)]

नई दिल्ली, 24 सितम्बर, 1981

का० आ० 2464.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर नियम, 1962 के नियम 6(ii) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2-क) के प्रयोजनों के लिए नीचे विनिर्दिष्ट अवधि के लिए अनुमोदित किया है।

- |                                   |   |
|-----------------------------------|---|
| 1. वैज्ञानिक अनुसंधान कार्यक्रम   | “डायबिटिक रटिनोपैथी इन इंडिया”                            |
| 2. प्रायोजक                       | मैडिकल रिसर्च फाउंडेशन मद्रास                             |
| 3. प्रायोजन-स्थल                  | भारतीय डायबिटिक समय की केन्द्रीय डायबिटिक अनुसंधान परिषद् |
| 4. परियोजना-अवधि                  | पांच वर्ष   |
| (i) प्रारंभ की प्रस्तावित तारीख   | 7 सितंबर, 1981  |
| (ii) समाप्त होने की संभावित तारीख | 6 सितंबर, 1986  |
| 5. कुल प्राकल्पित व्यय :          | 32.73 लाख (केवल बत्तीस लाख तिहत्तर हजार रु०)              |

2. उपरोक्त परियोजना का अनुमोदन निम्नलिखित शर्तों के अधीन रहते हुए किया गया है।

- (1) यह कि सोसाइटी प्राप्त राशियों का और इस अनुसंधान परियोजना के लिए उपगत व्यय का, मैडिकल रिसर्च फाउंडेशन (रजि०) मद्रास के अन्वय से मुद्रित रूप में पृथक् लेखा रखेगी।
- (2) यह कि सोसाइटी प्रत्येक वर्ष 31 मई से पूर्व इस वैज्ञानिक अनुसंधान परियोजना की वार्षिक विवरणी परिषद् को ऐसे प्रारूपों में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।
- (3) यह कि सोसाइटी प्रत्येक वर्ष 31 मई तक लेखाओं को वार्षिक संपरिक्षित विवरण, परिषद् को भेजेगी और इसके अतिरिक्त इसकी एक प्रति संयुक्त आयकर आयुक्त को भेजेगी।

2. दी मैडिकल रिसर्च फाउंडेशन (रजि०) मद्रास, आय-कर अधिनियम, 1961 की धारा 35(1)(ii) के अधीन अधिसूचना सं० 3235 (फा० सं० 203/27/81-आई० टी० ० ii) तारीख 10 अप्रैल, 1980 द्वारा अनुमोदित है।

[सं० 4247 (फा सं० 203/147/80-आई० टी० ए० II)]

ए० सं० के० पाण्डेय, उप-सचिव

New Delhi, the 24th September, 1981

**S.O. 2464.**—It is hereby notified for general information that the following research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 by the Indian Council of Medical Research, New Delhi.

1. Name of the Scientific "Diabetic Retinopathy in India" Research Programme.
2. Sponsored (a) by Medical Research Foundation, Madras.
3. Sponsored (b) at Central Council of Diabetic Research of Diabetic Association of India.
4. Duration of Project Five years.
  - (i) Proposed date of commencement. 7th September, 1981
  - (ii) Anticipated date of completion 6th September, 1986
5. Total Estimated expenditure Rs.32.73 lakhs (Rupees thirty two lakhs and seventy three thousand only).

2. The approval for the above project will be subject to the following conditions :

1. That the Society will maintain a separate account of the amounts received and expenditure incurred for this research project as distinct from the other expenditure of the Medical Research Foundation (Regd), Madras.
2. That the Society will furnish annual returns of this scientific research project to the Council by 31st May each year at the latest in such forms as may be laid down and intimated to them for this purpose.
3. That the Society will furnish a copy of the annual audited statement of account to the Council by 31st May each year and in addition to send a copy of it to the concerned Income tax Commissioner.
3. The Medical Research Foundation (Regd), Madras stands approved under Section 35 (1) (ii) of the Income -tax Act, 1961 by Notification No. 32-35 (F. No. 203/27/80-ITA.II) dated 10th April, 1980

[No.4247 (F.No.203/147/81-ITA.II)]

M. K. PANDEY, Dy. Secy.

नई दिल्ली, 17 फरवरी, 1982

का०आ० 2465.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय सामाजिक विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए शर्तों पर अनुमोदित किया है, अर्थात् —

- (i) यह कि उस्ताद हाफिज अली खान स्मारक सोसाइटी द्वारा इस छूट के अधीन संग्रहण की गई निधियों का केवल सामाजिक विज्ञान में अनुसंधान की प्रगति के लिए ही उपयोग किया जाएगा ।
- (ii) यह कि सोसाइटी इस छूट के अधीन संग्रहण की गई निधियों का पृथक लेखा रखेगा ।
- (iii) यह कि सोसाइटी वार्षिक रिपोर्ट और इस छूट के अधीन विनिश्चित रूप से संग्रहण की गई निधियों और उस रीति को जिसमें इन निधियों का उपयोग किया गया है, वषारि लेखाओं का वार्षिक संपरिचित विवरण परिषद् को भेजेगा ।
- (iv) आयकर अधिनियम, 1961 की धारा 35(1)(iii) के अधीन प्राप्त संशानों में से उपयोग न की गई किसी निधि का, धारा 13 (1)(ब) में विहित रीति से विनिधायन किया जाएगा

जिसके अन्तर्गत सरकारी बचत प्रमाणपत्रों में निविधान, अनुसूचित बैंक में निक्षेप, यू० टी० आई० में निविधान, पब्लिक सेक्टर कंपनियों में निक्षेप आदि पर और सरकारी कंपनियों और में निक्षेप है ।

संस्था

उस्ताद हाफिज अली खान स्मारक सोसाइटी, नई दिल्ली यह अधिसूचना इस अधिसूचना के जारी होने की तारीख से प्रभावी होती है और तीन वर्षों के अवधि के लिए विधिमार्ग है ।

[सं० 4474(फा० सं० 203/186/81-आई० टी० ए०-II)]

New Delhi, the 17th February, 1982

S.O. 2465.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, subject to the following conditions :—

- (i) That the funds collected by the Ustad Hafiz Ali Khan Memorial Society, New Delhi under this exemption shall be utilized exclusively for promotion of research in social sciences.
- (ii) That the Society shall maintain a separate accounts of the funds so collected by them under this exemption.
- (iii) That the Society shall send to the Council an Annual Report and Audited Statement of its accounts regularly showing specifically the funds collected under this exemption and the manner in which these funds are utilized.
- (iv) Any unutilized funds, out of the donations received under section 35(1)(iii) of the Income-tax Act, 1961, will be invested in the manner prescribed in Section 13(1)(d) which includes investment in Govt. Saving Certificates, deposit in scheduled Bank, Investment in U.T.I., deposits with the Public Sector Companies etc.

#### INSTITUTION

Ustad Hafiz Ali Khan Memorial Society, New Delhi.

This notification takes effect from the date of issue of this notification and is valid for a period of three years.

[No. 4474 (F. No. 203/186/81-ITA. II)]

नई दिल्ली, 20 फरवरी, 1982

का०आ० 2466.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् भारतीय सामाजिक विज्ञान अनुसंधान परिषद् नई दिल्ली ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :-

- (1) यह कि इस छूट के अधीन प्राप्त विज्ञान विद्यालय प्रतिष्ठान अलगदाबाद द्वारा संग्रहित राशियों का उपयोग केवल सामाजिक विज्ञानों में अनुसंधान का प्रगति के लिए ही किया जाएगा ।
- (2) यह कि प्रतिष्ठान इस छूट के अधीन उसके द्वारा इस प्रकार राशियों का पृथक रूप से लेखा रखेगा ।
- (3) उक्त प्रतिष्ठान प्रत्येक वर्ष के लिए इस छूट के अधीन संग्रहीत निधि और उस रीति को, जिसमें इसका उपयोग किया गया है को नियमित रूप से वषारि लेखाओं का वार्षिक संपरिचित विवरण परिषद् को प्रति वर्ष भेजेगा ।

## संस्था

ग्रामीण विश्वविद्यालय प्रतिष्ठान अहमदाबाद यह अधिसूचना इसमें जारी किए जाने की तारीख से पचासवें होरी और तीन वर्ष की अवधि के लिए विधिवत रूढ़िगी।

[सं० 4482 (फा० सं० 203/170/81-आई० टी० ए० II)]

New Delhi, the 20th February, 1982

**S.O. 2466.**—It is hereby notified for general information that the Institution mentioned below has been approved by the Indian Council of Social Science Research the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 subject to the following conditions :—

1. That such funds collected by the Rural University Foundation, Ahmedabad under this exemption shall be utilised exclusively for promotion of research in Social Sciences.
2. That the Foundation shall maintain a separate accounts of the funds so collected by them under the exemption.
3. That the Foundation shall send to the Council an Annual Report and audited statement of accounts regularly showing the funds collected under this exemption and the manner in which these funds are utilized.

## INSTITUTION

The Rural University Foundation, Ahmedabad.

This notification takes effect from the date of its issue and will be valid for a period of three years.

[No. 4482 (F. No. 203/170/81-ITA.II)]

**का०आ० 2467.**—इस विभाग की अधिसूचना सं० 4187 (फा० सं० 203/294/1960 तारीख 20-8-1980) के अनुक्रम में सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि निम्नलिखित संस्था का आय-कर नियम, 1962 के नियम 6(ii) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है :—

- (i) यह कि संगम चिकित्सा अनुसंधान के लिए प्राप्त राशियों का पृथक् रूप में लेखा रखा जाये।
- (ii) यह कि संगम प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रिया कलापों की वार्षिक विवरण पारषद् का प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।
- (iii) यह कि संगम प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संपरिक्षित विवरण पारषद् का प्रति वर्ष 31 मई तक भेजना और इसके अतिरिक्त इसकी एक प्रति मुख्यद्वारा आयकर अधिनियम की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया है, अर्थात् :—

संस्था

नेत्र अनुसंधान केंद्र, मद्रास।

यह अधिसूचना 23-11-81 से 22-11-83 तक दो वर्ष की अवधि के लिए प्रभावी है।

[सं० 4183 (फा० सं० 203/170/81-आई० टी० ए० II)]

**S.O. 2467.**—In continuation of this Department's notification No. 4187 (F. No. 203/294/1980 dated 20-8-1981) it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "Scientific Research Association" in the field of Medical Research subject to the following conditions :—

- (i) That the Association will maintain a separate account of the sums received by it for medical research,
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Association will furnish a copy of the annual audited statement of accounts to the Council by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

## INSTITUTION

The Eye Research Centre, Madras.

The notification is effective for a period of two years from 23-11-1981 to 22-11-1983.

[No. 4483 (F. No. 203/9/82-ITA.II)]

**का०आ० 2468.**—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित संस्था का विहित प्राधिकार भारतीय कृषि अनुसंधान परिषद् द्वारा आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है।

## संस्था

महाराष्ट्र राज्य द्राक्ष बागवानीदार संघ, पुणे।

यह अधिसूचना 1-4-1981 से दो वर्ष की अवधि के लिए प्रभावी है।

[सं० 4184 (फा० सं० 203/200/80-आई० टी० ए० II)]

**S.O. 2468.**—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Agricultural Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

## INSTITUTION

Maharashtra Rajya Draksha Bagatidar Sangh, Pune.

This notification is effective for a period of two years w.e.f. 1-4-1981.

[No. 4484 (F. No. 203/200/80-ITA. II)]

नई दिल्ली, 19 अप्रैल, 1982

**का०आ० 2469.**—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि निम्नलिखित प्राधिकारी, अर्थात् भारतीय कृषि अनुसंधान परिषद्, नई दिल्ली ने निम्नलिखित संस्था का आयकर नियम, 1962 के नियम 6(ii) के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में "वैज्ञानिक अनुसंधान संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि संगम चिकित्सा अनुसंधान के लिए प्राप्त राशियों का पृथक् लेखा रखा जाये।
- (ii) यह कि संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरण पारषद् का प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकतम किया जाए और उसे सूचित किया जाए।

- (iii) यह नि. समस लेखाओं का वार्षिक संवर्धन विवरण वार्षिक को प्रति वर्ष 31 मई तक भेजेगा और इसके अतिरिक्त इसको एक प्रति सम्बद्ध आयकर बाबुको भी भेजेगा।

संस्था

इंडियन कैंसर सोसायटी, शोलापुर (महाराष्ट्र)।

यह अधिसूचना 6-3-82 से दो वर्ष तक की अवधि के लिए प्रभावी होगी।

[सं० 4580 (फा० सं० 203/58/82-आई० टी० ए० II)]

New Delhi, the 19th April, 1982

**S.O. 2469.**—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions:—

- (i) That the Association will maintain a separate account of the sums received by it for medical research.
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Association will furnish a copy of the annual audited statement of accounts to the Council by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

#### INSTITUTION

Indian Cancer Society, Sholapur (Maharashtra).

The notification is effective for a period of two years w.e.f. 6-3-82.

[No. 4580 (F. No. 203/58/82-ITA. II)]

नई दिल्ली, 24 मार्च, 1982

का० भा० 2470.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि भारतीय आयुर्विज्ञान अनुसंधान परिषद्, नई दिल्ली ने निम्न लिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2क) के प्रयोजनों के लिए तोष विनिश्चित अवधि के लिए अनुमोदित किया है, अर्थात्:—

1. वैज्ञानिक अनुसंधान कार्यक्रम का नाम: "ऊपरी श्वसन क्षण श्लेष्मल, नाक-ग्राह्य पर उद्योगों में निरुद्धने वाली धूल में लगातार संभाव्य रक्त के नैदानिक-रोग जन्य प्रभाव का, परासंरचना, परिवर्तन और उद्योगों में सम्बद्ध प्राथमिक निवारक कार्यक्रम के विकास में संश्लेषात्मक अनुसंधान के प्रति-विशेष निर्देश से सहायक"।
2. परियोजना का स्वरूप: श्वसन पूर्व-ग्रामी पुर्ण।
3. प्रयोजक के नाम: 1. सुवर्णन केमिकल इंडस्ट्रीज लिमिटेड बेल्लेजली रोड, पुना और रोहा (जिला कोनाबा)।  
2. गजबहापुर मिन्य लिमिटेड, पुर्ण।

3. पत्ता: एंड पत्ता कान्स्ट्रक्शन लिमिटेड, शिवाजी नगर, पुना।

4. राउट: इंडियन रिजर्व बैंक, बैंक में राउट पुना।

5. इंडस्ट्रियल पैव लिमिटेड, भामरा, पुना।

6. सुवर्णन केमिकल एंड टेक्स्टाइल लिमिटेड, गंकर मेंड रोड, पुना।

7. सपरी डिफिन केमिक्स, शिवाजीनगर, पुना।

9. बंगला इंडिया (प्रा०) लिमिटेड, बर्लेन इंडिया (प्रा०) लिमिटेड।

1. परियोजना की अवधि: पांच वर्ष  
(1) प्रारंभ की प्रस्तावित तारीख: 8-3-82  
(2) समाप्ति की अनुमानित तारीख: 7-3-87

5. कुल प्रावधानित राशि: 55,20,000 00 रु० (के०। परपन लाख बीस हजार रुप०)

उपरोक्त परियोजना का अनुमोदन निम्नलिखित शर्तों के अधीन है:—

- (1) यह कि न्याय अयोध्या पूर्वग्राम, पुर्ण के अन्तर्गत से निरुद्ध इस अनुसंधान परियोजना के लिए प्राप्त राशि को और उपगत व्ययों का हिसाब पृथक रखेगा।
- (2) न्याय प्रत्येक वर्ष के लिए इस वैज्ञानिक अनुसंधान परियोजना की वार्षिक विवरणों परिसर को प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकतम किया जाए और उसे सूचित किया जाए।
- (3) न्याय प्रत्येक वर्ष के लिए कुल आस्तियों और बाधिशो सहित लेखाओं का वार्षिक संवर्धन विवरण परिसर को प्रति वर्ष 31 मई तक भेजेगा और इसके अतिरिक्त इसको एक प्रति सम्बद्ध आयकर बाबुको भी भेजेगा।

यह अनुमोदन 20-12-82 तक विधिवान्वित है।

अयोध्या पूर्वग्राम पुर्ण, आयकर अधिनियम, 1961 की धारा 35(1) (ii) के अधीन विल सहाय (राजस्व विभाग) की अधिसूचना सं० 3292 (फा० सं० 203/119/80-आई० टी० ए० II) तारीख 12 मई, 1980 द्वारा अनुमोदित है।

[सं० 4535 (फा० सं० 203/61/82-आई० टी० ए० II)]

एम० जी० सी० गोयल, अध्वर सचिव

New Delhi, the 24th March, 1982

**S.O. 2470.**—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 by the Indian Council of Medical Research, New Delhi.

1. Name of the Scientific "Evaluation of the Clinico-Pathological Effects of Prolonged exposure to Industrial Dust on Upper Respiratory Tract Mucosa, Nose, Ear with special reference to Ultra-Structural Changes and Operational Research in the development



- of related primary preventive programme in Industries".
2. Sponsored at : The Ayodhya Charitable Trust, Pune.
3. Sponsored by:—
1. Sudarshan Chemical Industries Ltd., Wellesly Road, Poona & Roha (Distt. Kolaba).
  2. Raja Bahadur Mills Ltd, Pune.
  3. Paper & pulp Conversion Ltd., Shivajinagar, Poona.
  4. Rathi Engineering Works, Shanker Sheth Road, Poona.
  5. Industrial Paper Ltd., Bhosari, Poona.
  6. Sudarshan Chemical & Textile Ltd., Shanker Sheth Road, Poona.
  7. Sanghavi Tiffin Carriers, Shivaji Nagar, Poona.
  8. Wanson India (P) Ltd., Thermax India (P) Ltd.
4. Duration of the Project : Five years.
- (i) Proposed date of commencement. 8-3-82
  - (ii) Anticipated date of completion. 7-3-87
5. Total estimated expenditure Rs. 55,20,000.00 (Rupees Fifty five lakhs twenty thousand only).

The approval for the above project will be subject to the following conditions:—

- (1) That the Trust will maintain a separate account of the amounts received and expenditure incurred for this research project as distinct from the other expenditure of the Ayodhya Charitable Trust, Pune.
- (2) That the Trust will furnish annual returns of this scientific research project to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (3) That the Trust will furnish a copy of the annual audited statement of accounts along with total assets and liabilities to the Council by 31st May each year and in addition to send a copy of it to the concerned Income-tax Commissioner.
- (4) This approval is valid upto 24-12-1982.

The Ayodhya Charitable Trust, Pune has been approved under section 35(1)(ii) of the Income-tax Act, vide Ministry of Finance (Department of Revenue) Notification No. 3292 (F. No. 203/119/80-ITA. II) dated the 12th May, 1980.

[No. 4535 (F. No. 203/61/82-ITA. II)]  
M G. C. GOYAL, Under Secy

(राजस्व विभाग)

आदेश

नई दिल्ली, 25 जून, 1982

स्टाम्प

क्र० आ० 2471.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो राष्ट्रीय लघु उद्योग निगम द्वारा जारी किए जाने वाले चार करोड़ 365 GI/82—2

रुपए मूल्य के प्रोमिसरी नोटों के रूप में बन्ध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रसार्य है।

[सं० 22/82-स्टाम्प-फा० सं० 33/2/82-वि०क०]  
भगवान दाम, अवर सचिव

(Department of Revenue)

ORDER

New Delhi, the 25th June, 1982

STAMPS

S.O. 2471.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes to the value of rupees four crores only, to be issued by National Small Industries Corporation are chargeable under the said Act.

[No. 22/82-Stamp-F. No. 33/2/82-ST]  
BHAGWAN DAS, Under Secy.

(आर्थिक कार्य विभाग)

(शक्ति प्रभाग)

नई दिल्ली, 18 जून, 1982

क्र० आ० 2472.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री बी० वी० एम० एम० शर्मा को श्री विशाखा ग्रामीण बैंक, श्रीकाकुलम का अध्यक्ष नियुक्त करती है तथा 1-7-1982 से प्रारम्भ होकर 30-6-1985 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री बी० वी० एम० एम० शर्मा अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक० 2-27/82-प्रार०भार० बी०]

(Department of Economic Affairs)

BANKING DIVISION

New Delhi, the 18th June, 1982

S.O. 2472.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri B. V. S. S. Sarma as the Chairman of the Sri Visakha Grammeena Bank, Srikakulam and specifies the period commencing on the 1-7-1982 and ending with the 30-6-1985 as the period for which the said Shri B. V. S. S. Sarma shall hold office as such Chairman.

[No. F. 2-27/82-RRB]

नई दिल्ली, 19 जून, 1982

क्र० आ० 2473 :—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री नरसिंह मिश्रा को नालन्दा ग्रामीण बैंक का अध्यक्ष नियुक्त करती है तथा 13-5-1982 से प्रारम्भ होकर 30-6-1985 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री नरसिंह मिश्रा अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ. 2-55/82-आर. आर. बी.]

New Delhi, the 19th June, 1982

S.O. 2473.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Narsingh Mishra as the Chairman of the Nalanda Gramin Bank, Biharsharif and specifies the period commencing on the 13-5-1982 and ending with the 30-6-1985 as the period for which the said Shri Narsingh Mishra shall hold office as such Chairman.

[No. F. 2-55/82-RRB]

कांआ० 2474.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री सीता राम प्रसाद को नालन्दा ग्रामीण बैंक बिहार शाख का अध्यक्ष नियुक्त करती है तथा 1-4-82 से प्रारम्भ होकर 12-5-82 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री सीता राम प्रसाद अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-55/82-आर० आर० बी०]

**S.O. 2474.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Sita Ram Prasad as the Chairman of the Nalanda Gramin Bank, Bihar and specifies the period commencing on the 1-4-82 and ending with the 12-5-82 as the period for which the said Shri Sita Ram Prasad shall hold office as such Chairman.

[No. F. 2-55/82-RRB]

नई दिल्ली, 23 जून, 1982

कांआ० 2475.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री एस० पी० गर्ग को सुल्तानपुर क्षेत्रीय ग्रामीण बैंक, सुल्तानपुर का अध्यक्ष नियुक्त करती है तथा 1-7-82 से प्रारम्भ होकर 30-6-82 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री एस० पी० गर्ग अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-41/82-आर० आर० बी०]

New Delhi, the 23rd June, 1982

**S.O. 2475.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri S. P. Garg as the Chairman of the Sultanpur Kshetriya Gramin Bank, Sultanpur and specifies the period commencing on the 1-7-82 and ending with the 30-6-82 as the period for which the said Shri S. P. Garg shall hold office as such Chairman.

[No. F. 2-41/82-RRB]

नई दिल्ली, 26 जून, 1982

कांआ० 2476.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा ग्रामीण शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री बी० पी० अग्रवाल को गोरखपुर क्षेत्रीय ग्रामीण बैंक, गोरखपुर का अध्यक्ष नियुक्त करती है तथा 1-7-82 से प्रारम्भ होकर 30-6-1983 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री बी० पी० अग्रवाल अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 8-2/79-आर० आर० बी०]

New Delhi, the 26th June, 1982

**S.O. 2476.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri B. P. Agarwal as the Chairman of the Gorakhpur Kshetriya Gramin Bank, Gorakhpur and specifies the period commencing on the 1-7-1982 and ending with the 30-6-1983 as the period for which the said Shri B. P. Agarwal shall hold office as such Chairman.

[No. F. 8-2/79-RRB]

कांआ० 2477.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री पी० बी० ताम्बे को होशंगाबाद क्षेत्रीय ग्रामीण बैंक, होशंगाबाद का अध्यक्ष नियुक्त करती है तथा 1-7-1982 से प्रारम्भ होकर 30-6-1985 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री पी० बी० ताम्बे अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-8/82-आर० आर० बी०]

**S.O. 2477.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri P. B. Tambe as the Chairman of the Kshetriya Gramin Bank, Hoshangabad and specifies the period commencing on the 1-7-1982 and ending with the 30-6-1985 as the period for which the said Shri P. B. Tambe shall hold office as such Chairman.

[No. F. 2-8/82-RRB]

कांआ० 2478.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री जे० दाम को बोलंगीर आंचलिक ग्राम्य बैंक, बोलंगीर का अध्यक्ष नियुक्त करती है तथा 1-7-1982 से प्रारम्भ होकर 30-6-1985 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री जे० दाम अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-18/82-आर० आर० बी०]

**S.O. 2478.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri J. Dash as the Chairman of the Bolangir Anchalik Gramya Bank, Bolangir and specifies the period commencing on the 1-7-1982 and ending with the 30-6-1985 as the period for which the said Shri J. Dash shall hold office as such Chairman.

[No. F. 2-18/82-RRB]

कांआ० 2479.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री ए० सी० मोहंती को कारापुर पंचवटी ग्राम्य बैंक, जैपूर का अध्यक्ष नियुक्त करती है तथा 1-7-1982 से प्रारम्भ होकर 30-6-1985 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री ए० सी० मोहंती अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-33/82-आर० आर० बी०]

राम बेहरा, अधर सचिव

**S.O. 2479.**—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri A. C. Mohanty as the Chairman of the Koraput Panchabati Gramya Bank, Jeypore and specifies the period commencing on the 1-7-1982 and ending with the 30-6-1985 as the period for which the said Shri A. C. Mohanty shall hold office as such Chairman.

[No. F. 2-33/82-RRB]

RAAM BEHRA, Under Secy.

## वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 10 जुलाई, 1982

कांआ० 2480.—केन्द्रीय सरकार की, नियमित (क्वालिटी) नियंत्रण और निरीक्षण अधिनियम, 1963 (1963 का 22) की धारा 6

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है कि कचरा उत्पादों का (क्वालिटी नियंत्रण और निरीक्षण) किया जाए।

और केंद्रीय सरकार ने उक्त प्रयोजन के लिए निम्नलिखित प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षाानुसार निर्यात निरीक्षण परिषद् को भेज दिया है।

अन. केंद्रीय सरकार उक्त उपनियम के अनुसरण में, भारत सरकार बाणिज्य की कचरा उत्पादों से संबंधित अधिसूचना संख्या कां०आ० 3918 तारीख 16 दिसम्बर, 1965, कचरा उत्पादों की अनिश्चित मर्दों से संबंधित अधिसूचना सं० कां०आ० 2779 तारीख 11 अगस्त 1967 और कुछ अन्य अनिश्चित मर्दों से संबंधित विदेश व्यापार मंत्रालय की अधिसूचना संख्या कां०आ० 2594 तारीख 29 जुलाई 1970 को उन बातों के विषय जिन्हें किया गया है या करने का लोप किया गया है, अधिकांश, करने हुए, उक्त प्रस्तावों को उन सभी व्यक्तियों का जानकारी के लिए प्रकाशित करती है जिसके उनसे प्रभावित होने की सम्भावना है।

सूचना दी जाती है कि उक्त प्रस्तावों के बारे में आक्षेप या सुझाव भेजने का इच्छुक कोई व्यक्ति उक्त प्रस्तावों के राजपत्र में प्रकाशन की तारीख से 45 दिन के भीतर निर्यात निरीक्षण परिषद् (5वीं मंजिर) स्पुडिसिपल मार्केट बिल्डिंग 3, सरस्वती मार्ग, नई दिल्ली को भेज सकता है।

#### प्रस्ताव

- (1) अधिसूचित करना कि कचरा उत्पादों का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा -
- (2) इस आदेश के उपाबंध 1 में दिए गए कचरा उत्पादों के निर्यात (निरीक्षण) नियम, 1982 के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकार को क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो ऐसे कचरा उत्पादों पर निर्यात से पूर्व लागू होगा ;
- (3) (क) कचरा उत्पादों के लिए इस आदेश के उपाबंध 11 में अधिसूचित विनिर्देशों को कचरा उत्पादों के लिए मानक विनिर्देशों के रूप में मान्यता देना ;
- (ख) विदेशी क्रेता द्वारा अनुमोदित नमूनों या विनिर्देशों को मान्यता देना परन्तु यह तब जब कि नमूने का विनिर्देश, उपरोक्त (क) में दिए गए मानक विनिर्देशों की न्यूनतम अपेक्षाओं से कम नहीं है।
- (ग) उन विनिर्देशों को मान्यता देना, जो उपरोक्त खंड (क) के अंतर्गत नहीं आते हैं किन्तु इस प्रयोजन के लिए निर्यात निरीक्षण परिषद् द्वारा नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए हैं,
- (4) कचरा उत्पादों का निर्यात अन्तर्राष्ट्रीय व्यापार के दौरान तब तक प्रतिषिद्ध करना जब तक कि उनके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) की धारा 8 द्वारा स्थापित निर्यात निरीक्षण अभिकरणों में से किसी एक द्वारा जारी किया इस आदेश का प्रमाण-पत्र न हो कि कचरा उत्पाद उप-धारा 3 के अधीन मान्यता प्राप्त विनिर्देशों के अनुरूप है और निर्यात योग्य है।

2. इस आदेश की कोई भी बात भावों केलाओं को भूमि, समुद्र या वायु मार्ग द्वारा कचरा उत्पादों के नमूनों के निर्यात को लागू नहीं होगी।

3. इस आदेश में कचरा उत्पादों से निम्नलिखित प्रकारों के उत्पाद अभिप्रेत हैं, अर्थात् :—

- (क) शलाका पायदान चटाईयां;
- (ख) निट पायदान चटाईयां;
- (ग) कील और फायबर चटाईयां;
- (घ) गलियारा चटाईयां;
- (ङ) सिनेट चटाईयां;
- (च) बंधी हुई चटाईयां;
- (छ) जिमनासियां चटाईयां;
- (ज) रस्मी चटाईयां;
- (झ) जाली चटाई,
- (झ) किसी अन्य प्रकार की कचरा जूट चटाईयां;

#### उपाबंध-1

निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 के अधीन कचरा उत्पाद के निर्यात (निरीक्षण) नियम, 1965 को अधिकांश करने हुए बनाए जाने वाले प्रस्तावित नियमों का प्रारूप

1. सक्षिप्त नाम और प्रारंभ :

(1) इन नियमों का सक्षिप्त नाम कचरा उत्पाद निर्यात (निरीक्षण) नियम, 1982 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं :

इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,

- (i) 'अधिनियम' से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,
- (ii) 'अभिकरण' से अधिनियम की धारा 7 के अधीन मान्यता प्राप्त निर्यात निरीक्षण अभिकरणों में से कोई एक अभिप्रेत है,
- (iii) 'कचरा उत्पाद' निम्नलिखित प्रकार के उत्पाद अभिप्रेत हैं अर्थात् :—

- (क) शलाका पायदान चटाईयां,
- (ख) चिट चटाईयां,
- (ग) कील और फायबर पायदान चटाईयां,
- (घ) गलियारा चटाईयां,
- (ङ) सिनेट चटाईयां,
- (च) लूप चटाईयां,
- (छ) जिमनासियां चटाईयां,
- (ज) रस्मी चटाईयां,
- (झ) जाली चटाईयां,
- (झ) किसी प्रकार की कचरा चटाईयां,

3. निरीक्षण का आधार :

निर्यात के लिए आशयित उत्पाद का निरीक्षण इस दृष्टि से किया जायेगा कि वे अधिनियम की धारा 6 के अधीन केंद्रीय सरकार द्वारा मान्यता प्राप्त विनिर्देशों के अनुरूप हैं।

1. निरीक्षण प्रक्रिया :

(1) कचरा उत्पादों का निर्यात करने का इच्छुक निर्यातकर्ता अपने ऐसा करने के आशय की सूचना लिखित रूप में निर्यात निरीक्षण अभिकरण के निकटतम कार्यालय को देगा।

(2) इस प्रयोजन के लिए प्रत्येक सूचना पोत लदान की प्रत्याशित तारीख से 72 घंटे पूर्व दी जाएगी।

(3) उप-नियम (2) में निर्दिष्ट सूचना के प्राप्त होने पर, अभिकरण कयर उत्पादों के परेषण का निरीक्षण इस संबंध में निर्यात निरीक्षण परिसर द्वारा समय-समय पर जारी की गई अनुदेशों के अनुसार इस दृष्टि से करेगा कि वह मान्यता प्राप्त विनिर्देशों की अपेक्षाओं का पूरा करता है और निर्यातकर्ता अभिकरण को आवश्यक सुविधायें देगा ताकि वह ऐसा निरीक्षण करने में समर्थ हो सके।

(4) अभिकरण अपना यह समाधान कर लेने के पश्चात् कि कयर उत्पादों का परेषण मान्यता प्राप्त विनिर्देशों के अनुरूप है नियम 4 के उप-नियम (1) के अधीन सूचना और परेषण का ब्यौरा प्राप्त होने के तीन दिन के भीतर यह घोषणा करते हुए प्रमाण-पत्र जारी करेगा कि परेषण मान्यता प्राप्त विनिर्देशों के अनुरूप है और निर्यात योग्य है :

परन्तु जहाँ अभिकरण का समाधान नहीं होता है वहाँ वह उक्त तीन दिन की अवधि के भीतर प्रमाण-पत्र जारी करने से इन्कार कर देगा और ऐसे इन्कार की सूचना उसके कारणों सहित निर्यातकर्ता को देगा।

#### 8. निरीक्षण का स्थान :

इन नियमों के अधीन प्रत्येक निरीक्षण या,

(क) उस परिसर पर किया जाएगा जहाँ निर्यातकर्ता द्वारा कयर उत्पादों का परेषण निरीक्षण के लिए प्रस्तुत किया जाता है, परन्तु यह तब जब कि इस प्रयोजन के लिए पर्याप्त सुविधायें विद्यमान हों, या

(ख) किसी ऐसे स्थान पर जो इस प्रयोजन के लिए अभिकरण द्वारा विनिर्दिष्ट किया जा सकता है।

#### 8. अपील :

नियम 4 के अधीन प्रमाण-पत्र जारी करने के इन्कार से व्यथित कोई व्यक्ति ऐसे इन्कार की सूचना प्राप्त होने के 10 दिन के भीतर इस प्रयोजन के लिए केन्द्रीय सरकार द्वारा गठित अपीलीय पैनल को जिसमें कम से कम तीन व्यक्ति होंगे अपील कर सकता है।

#### 7 निरीक्षण फीस :

कयर उत्पादों का निरीक्षण करने के लिए कम से कम 6.00 रुपये प्रति परेषण के अधीन रहते हुए प्रत्येक बंडल के लिए 0.60 पैसे की दर के फीस निरीक्षण फीस के रूप में दी जाएगी।

#### उपबन्ध II

कयर उत्पादों के लिए विनिर्देश :

##### 1. साधारण अपेक्षाएं :

1.1 जूट चटाइयों के विनिर्माण में प्रयुक्त फायबर सूत और रस्सी समरूप क्वालिटी की और साफ होगी और अपद्रव्य से मुक्त होगी। ये बिरंजित या अबरंजित प्राकृतिक या रंगी हुई होगी। प्रयुक्त कयर सूत दो प्लाई का होगा।

1.2 चटाइयां दुबता से और समतल तथा बुनी हुई होगी। बाने के बाहर निकले हुए सिरों अच्छे सज्जुत और अच्छी प्रकार से बाँधे जाएंगे रोठेंबार के गुच्छे सुरक्षित होंगे और कटाई एक समान होगी।

1.3 प्रयुक्त डोरियां एक समान संरचना की होंगी। जब सिरों से जोड़ी जाएंगी, डोरी कठोर बड़े हुए सूत से बुनी होगी और कम से कम प्रति डेसीमीटर में तीन टांकों द्वारा चटाई से टाँकी जाएगी। शलाका और जिमनासियां चटाइयों में, डोरी की प्लाइयों की संख्या क्रमशः पांच और ग्यारह से कम नहीं होगी। सिनेट चटाई के लिए प्रयुक्त डोरियों की लड़ियां उचित प्रकार और स्कोरेज की होंगी।

1.4 चटाई स्टेनसिल वाली हो सकती है या उसमें डिजाइन और अक्षर बुने जा सकते हैं। जब प्रवणित की जाए तब जड़ाऊ या स्टेनसिल किए गए डिजाइन स्पष्ट और समान होंगे।

1.5 चटाइयों का विनिर्माण आकृति और आकार में संविदा के अनुसार किया जाएगा।

1.6 जब जिमनासिया चटाइयों में रस्सी प्रयुक्त की जाती है तो कयर या हैम्प रस्सी की होगी जिसकी परिधि 38 मिलीमीटर होगी या 25 से 30 मि० मी० चौड़ी 11 प्लाई की डोरी की होगी जो सख्त बड़े हुए सूत की बनी होगी।

1.7 रस्सी के विनिर्माण में उपयुक्त कयर काप अच्छी तरह से बटी हुई होगी और प्रत्येक चार लड़ियों में बटी हुई रस्मियों की पर्याप्त संख्या बना परी से होगा।

1.8 रस्सी चटाइयों की दशा में, उचित सिलाई यह सुरक्षित करने के लिए की जाएगी कि किनारों पर परत फिसले नहीं। रस्सी के दो सिरों को चटाई के ढाँचे में इस प्रकार समाहित किया जाएगा ताकि सिरों छुप जाएं।

1.9 जानीदार चटाई की दशा में, डिब्बेमाजी के धामे से बंधी गांठें पक्की सख्त और समान होंगी।

1.10 चटाई धब्बों, गंवगी और अन्य बाह्य पदार्थों से मुक्त होगी।

1.11 चटाइयों की कोई अन्य विशिष्ट फिनिश हो सकती है जो निर्यात संविदा में करार की गयी हो।

##### 2. विनिर्दिष्ट अपेक्षाएं :

2.1 चटाइयों के विभिन्न प्रकारों और क्वालिटी संख्या के लिए जंजीर वाले फाइल ऊंचाई, संरचना और शरकों बारे में अपेक्षाएं वे होंगी जो नीचे सारणी 1 से 10 में दी गयी हैं या इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैनल द्वारा बनाए गए विनिर्देशों के अनुसार होगी।

2.2 किसी क्वालिटी की आधारभूत श्रेणी के लिए निर्दिष्ट बातों की संख्या उच्च श्रेणी के लिए न्यूनतम संख्या होगी।

2.3 चटाइयों के विभिन्न प्रकारों के लिए बाने फाइल की ऊंचाई भार और विमाओं के बारे में अनुशेष सहायता वह होगी सारणी 1 से 10 में दी गयी है या इस प्रयोजन के लिए नियुक्त विशेषज्ञ के पैनल द्वारा बनाए गए विनिर्देशों के अनुसार होगी।

2.4 क्वालिटी कोड संख्यांक इस रूप में नियत किया जाएगा कि उसके प्रथम अक्षर से प्रकार का चोतन हो और फाइल के लिए विनिर्दिष्ट सामग्री के प्रकार का द्वितीय और तृतीय अक्षर से चोतन हो। क्वालिटी कोड संख्यांक के पश्चात् फाइल ऊंचाई भार का कोष्ठकों में चोतन किया जाएगा।

2.5 निम्नलिखित प्रकार की बिना गुच्छेदार भाग के अंतराल सहित चटाइयों का नियत अनुज्ञात किया जाएगा।

- (1) क्रील चटाइयां;
- (2) शलाका चटाइयां;
- (3) बिट चटाइयां;
- (4) फायबर चटाइयां;
- (5) लूप चटाइयां;

2.6 निम्नलिखित चटाइयों की किस्मों के लिए विहित न्यूनतम और अधिकतम भार के ऊपर 6 मि मी० फाइल ऊंचाई में प्रत्येक बुद्धि के लिए प्रत्येक वर्ग 1220 ग्राम द्वारा भार में तदनुसार बुद्धि प्रत्येक क्वालिटी में उच्च श्रेणियों की जाती है—

- (1) क्रील चटाइयां;
- (2) शलाका चटाइयां;



- (3) चिट चटाईयां—  
 (4) फायबर चटाईयां;  
 (5) जिमनासिया चटाईयां
- 2.7 चटाईयों के निम्नलिखित प्रकारों की दशा में विहित न्यूनतम और अधिकतम भार के ऊपर प्रत्येक बुड़ि के लिए 915 ग्राम प्रति वर्ग मीटर के भार में बुड़ि के द्वारा प्रत्येक क्वालिटी में उच्चतर श्रेणियां वर्णित की जाती हैं—

- (1) लूप चटाईयां,  
 (2) गलियारा चटाईयां;  
 (3) सिनेट चटाईयां;  
 (4) रस्सी चटाईयां;  
 (5) जालीदार चटाईयां।

### 3. क्वालिटी कोड संख्यांक:

- 3.1 क्वालिटी कोड संख्यांक में प्रथम अक्षर चटाईयों की किसमें उपवर्गीकृत करेंगे:—

- |                       |    |
|-----------------------|----|
| (1) क्रील             | सी |
| (2) फायबर             | एफ |
| (3) शलाका             | आर |
| (4) चिट               | बी |
| (5) जिमनासियां        | जी |
| (6) लूप               | एल |
| (7) गलियारा           | डी |
| (8) सिनेट             | एम |
| (9) गांठ बंधी (रस्सी) | के |
| (10) जाली             | एम |

- 3.2 क्वालिटी कोड संख्यांक में प्रयुक्त द्वितीय और तृतीय अक्षर सूत की किसमें उपवर्गीकृत निम्नानुसार करेंगे।

- |                  |      |
|------------------|------|
| (1) एंजो         | ए    |
| (2) मंगादन       | एम   |
| (3) ग्रुटमूडी    | डी   |
| (3) ग्रुटरी      | आर   |
| (5) ब्रलपाट      | एल   |
| (6) वाइकोम       | बी   |
| (7) ध्रुव वाइकोम | टी   |
| (8) बेपोर        | वाई  |
| (9) कबीलुड       | भू   |
| (10) बीच         | बी   |
| (11) रस्सी       | पी   |
| (12) लर्का/द्वीप | सी   |
| (13) ऊन          | क्यू |
| (14) फायबर       | एफ   |

### 4. पैकिंग:

- 4.1 चटाईयां क्रेता और विक्रेता के बीच हुए करार के अनुसार पैक की जाएगी। यह सावधानी बरती जाएगी कि चटाईयों को नुकसान न हो पैकेज में कम से कम 2-17800 मीटर (एक गज में 7 घीस) के नए हैसियन कपड़े में लपेटे जाएगी।

- 4.2 प्रत्येक पैकेज पर निम्नलिखित विशिष्टियां लिखी जाएगी:—

- (क) अधिसूचित क्वालिटी संख्या और बांड का नाम,  
 (ख) आकार,  
 (ग) पैकेज में टुकड़ों की संख्या,  
 (घ) कोड (बिनिमिता) बिदेशी क्रेता, यदि कोई हो का नाम,  
 (ङ) पैकेजों की क्रम संख्या,  
 (च) कुल भार,  
 (छ) जहाजी चिन्ह।

### सारणी-1 शलाका पायदान चटाईयां

- (क) साधारण विशेषताएं: इस चटाई में पाइल ऊपर के सूत को काटने से बनाई जाएगी। 2 या अधिक सूत एक साथ मोड़े जाएंगे और जालीदार सोड़े की शलाका के ऊपर ताने के साथ लपेटे जाएंगे।

- (ख) संरचनात्मक व्योरे:

क्वालिटी संख्यांक		जंजीर	बाना	पाइल	संरचना	जंजीर या सिरों प्रति डेसीमीटर न्यूनतम	भार					
							बाना पाइल प्रति ऊंचाई मीटर मिमी० न्यूनतम	ग्राम/एम				क्वालिटी संख्यांक
								न्यूनतम	मानक	अधिकतम		
1	2	3	4	5	6	7	8	9	10	11	12	
आरबी 1	बीच या वाइकोम	बीच	बीच	2 × 2	9	9	25	4055	4270	4590	आर बी 1	
आरबी 2	बीच या वाइकोम	बीच	बीच	2 × 1	10	11	25	4635	4880	5245	आर बी 2	
आरबी 3	बीच या वाइकोम	बीच	बीच	3 × 2	10	9	28	5215	5490	5900	आर बी 3	
आरबी 4	बीच या वाइकोम	बीच	बीच	3 × 1	10	11	28	5215	5490	5900	आर बी 4	
आरबी 5	बीच या वाइकोम	बीच	बीच	4 × 1	10	11	38	6955	7320	7870	आर बी 5	
आरबी बी 1	वाइकोम	वाइकोम	वाइकोम	3 × 1	10	12	32	6955	7320	7870	आर बी 1	
आरबी बी 2	वाइकोम	वाइकोम	वाइकोम	4 × 2	10	9	32	6955	7320	7870	आर बी 2	

1	2	3	4	5	6	7	8	9	10	11	12
भार बी बी 3	वाइकोम	वाइकोम	वाइकोम	4 × 1	10	10	32	6955	7320	7870	भार बी 3
भार बी 4	वाइकोम	वाइकोम	वाइकोम	6 × 1	12	13	35	7535	7930	8525	भार बी 4
भार बी 5	वाइकोम	वाइकोम	वाइकोम	4 × 1	12	10	32	6955	7320	7870	भार बी 5
भार टी 1	वाइकोम	टी वाइकोम	टी वाइकोम	3 × 1	10	9	32	6955	7320	7870	भार टी 1
भार टी 2	वाइकोम या बीच	टी वाइकोम वाइकोम	टी वाइकोम वाइकोम	3 × 2	10	8	32	6375	6710	7215	भार टी 2
भार एल 1	वाइकोम	वाइकोम	अलपाट	4 × 1	10	10	38	6955	7320	7870	भार एल 1
भार डी 1	वाइकोम	अप्टमुडी	अप्टमुडी	3 × 1	10	10	35	8115	8540	9180	भार डी 1
भार भार 1	वाइकोम	अलपाट	भारटरी	4 × 1	10	12	44	9270	9760	10490	भार भार 1

#### ग्लोबल जटिल बटारी

ग्लोबल जटिल बटारियों की विशेषताएं ग्लोबल बटारियों जैसी ही होगी सिवाय इसके कि सादा और रगिन कायर फाइबर का प्रयोग करते हुए बटारियों में डिजाइन किये जाते हैं।

भार बी एक 1	बीच या वाइकोम	तीचे	बीच और फाइबर	2 × 2	10	10	28	5215	5490	5900	भारबीएक1
भार बी एक 2	बीच या वाइकोम	बीच	यथोक्त	3 × 1	11	11	28	5795	6100	6560	भारबीएक2
भार बी एक 3	बीच या वाइकोम	बीच	यथोक्त	3 × 2	11	12	28	5795	6100	6560	भारबीएक3
भार पी एक 1	वाइकोम	वाइकोम	वाइकोम और फाइबर	4 × 1	11	12	32	7535	7930	8525	भारपीएक1
भार टी एक 1	वाइकोम	वाइकोम	टी वाइकोम और फाइबर	21 × 1	12	12	32	6375	6710	7215	भारटीएक 1
भार भार एक 1	वाइकोम	वाइकोम	भारटरी और फाइबर	4 × 1	10	12	38	8115	8540	9180	भारभारएक
भार एल एक 1	वाइकोम या अलपाट	वाइकोम	अलपाट और फाइबर	4 × 1	10	11	38	8115	8540	9180	भारएलएक
भार टी एक 2	वाइकोम	टी वाइकोम	टी वाइकोम फाइबर	3 × 1	10	10	35	7535	7930	8525	भारटीएक2

#### (ग) अनुज्ञात सहायताएं

बामा किसी भी बटारी में देने की संख्या निम्नलिखित सहायताओं के अधीन रहते हुए वह होगी जो उपरोक्त सारणी में दी गयी है।

(1) 76-से० मी० से कम लम्बाई की बटारियों के लिए साइडस 5 प्रतिशत।

(2) 76 से० मी० से ऊपर चौड़ाई की बटारियों के लिए साइडस 10 प्रतिशत।

पहल की ऊंचाई: बटारियों की पहल ऊंचाई वह होगी जो उपरोक्त सारणी में दी गयी होगी।

पहल ऊंचाई में प्लस या माइनस 3 मि०मी० की सह्यता अनुज्ञात की जाएगी।

#### भार:

प्रति इकाई क्षेत्र का भार वह होगा जो उपरोक्त सारणी में दिया गया है। भार पर निम्नलिखित सहायताएं अनुज्ञात की जाएंगी।

(1) 76 से० मी० और अधिक जमीन की बटारियों के लिए मानक भार के ऊपर 5-12 प्रति प्लस या 10 प्रतिशत माइनस।

(2) 30 से० मी० या कम चौड़ाई की बटारियों के लिए मानक भार के ऊपर 12-14 प्लस।

विस्थापन: लम्बाई 130 से०मी० तक  $\pm 13$  मि०मी०  
130 से०मी० से ऊपर  $\pm 1$  प्रतिशत

चौड़ाई 13 मि०मी०  
 $\pm 13$  मि०मी०

जमीन: बटारियों की जमीन की संख्या वह होगी जो उपरोक्त सारणी में दी गयी है।

प्रति हेक्टेमीटर प्लस/लसी की सह्यता अनुज्ञात की जाएगी।

सारणी-II षिट वैट्स

(क) साधारण विशेषताएं :

जंजीर की लड़ियों के तारों और बारी बारी से कपड़ के सूत के धातों को अन्त रखापित करके बनाई गयी चट्टाई।

(ख) संग्रचनात्मक ह्यीरे .

मालाबिटी सख्यांक जंजीर			सूत का प्रकार		संग्रहना	जंजीर प्रति	बाना डे०मी०	प्रति न्यूनतम	धूलि की अंशार्ध न्यूनतम	भाग ग्राम/एक <sup>2</sup> न्यूनतम	प्रक्षिप्ततम	मकगमिटी संख्यांक
			बाना	पाइल		डे०मी० न्यूनतम	मि०मी०					
सादर चिन्तकबरा												
बी	1	बीच या बाइकोम	बीच	बीच टुकड़े	अन्तःस्थापित टुकड़े	9	9	31	6375	6710	7215	बीबी 1
बी०पी०	1	बाइकोम	बाइकोम के टुकड़े		यथोक्त	9	9	35	7535	7930	8525	बीबी 1
बी०ए०	1	बाइकोम	बाइकोम		कठोर मुड़े हुए सूत के टुकड़े	9	9	35	8115	8540	9180	बी०ए० 1

(ग) अनुज्ञात सहायताएं :

बाना : बटाई में अनुमान बाने की संख्या निम्नलिखित सद्यताओं के अधीन रहते हुए, वह होगी जो, उपरोक्त सारणी में दी गयी है।

(1) 76 सें०मी० से कम की बीडार्ड वाली चटाई के लिए —माइनस 5 प्रतिशत

(2) 76 सें० मी० से या उससे अधिक चौड़ाई वाली चटाई के लिए - माहिरस 10 प्रतिशत

पाइल ऊँचाई: चूटाई की पाइल ऊँचाई वह होगी जो सारणी में दी गई है। पाइल में  $\pm$  प्लस गाइडस 3 मि०मी० की सहभा अनुज्ञात की जायेगी।

भारत :

प्रति मिनट क्षेत्र का भार वह होगा जो उपरोक्त सारणी में दिया गया है।

भार. पर निम्नलिखित सहायता अनुदान की जाएगी।

(1) 76 सें० मी० और अधिक चौड़ाई वाली सड़क के लिए मानक भार के ऊपर—प्लस 7½ प्रतिशत या माइनस 10 प्रतिशत

(2) 76 सें० मी० य कम चौड़ाई वाली सड़क के लिए मानक भार के ऊपर प्लस 12 प्रतिशत।

विमर्श :

लक्षार्हः 130 में 130 13 मि० 130  
130 में 130 अधिक—1 प्रतिशत  
—13 मि० 130

चीडार्ई : सभी प्रकार  $\pm 13$  मि०मी०

जंजीर : चटई की जंजीरों की संख्या वह होगी जो उपरोक्त सारणी में दी गई है। प्रति हेक्टेयर + 1 लकी की सख्त प्रमाणात की जाएगी।

सारणी-III पायदान त्रील खटाई

(क) साधारण विशेषताएं :

चटाई एक कसी हुई और एक डोली दो अंजोरो से वा एक कसी हुई और डोली और एक डोली और एक पाइल तीन अंजोरो से बनी होगी। पाइल से अंजोर को काटने से पाइल बनता है।

(घ) संरचनात्मक व्यीर :

घागे का प्रकार													
क्यालिटी बंश्क	जंजीर	कसी हुई जंजीर	बाना	पाइल	संरचना	जंजीर या सिरे प्रति हे०मी० न्यूनतम	बाना प्रति मी०	न्यूनतम प्रति हे०मी० पकितया	भार पाइल ऊँचाई न्यूनतम मि०मी०	ग्राम/एम मासक	अधिकतम	क्यालिटी संख्या	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
-सी.बी 1		बीच	बीच	बीच	ताना कडी	9	24	12	22	4535	4680	5245	सीबी
सीबी 2	2 या 3 प्लाई जूट	यथोक्त	बीच	बीच	यथोक्त	9	24	12	25	5795	6100	6580	सीबी 2

1	2	3	4	5	6	7	8	9	10	11	12	13	14
सीबी 1		बाइकोम	बाइकोम	बाइकोम	ताना कटो फाइम	9	25	12	22	5215	5490	5900	सीबी 1
सीबी 2	2 या 3 प्लार्ड जूट	बाइकोम	बाइकोम	बाइकोम	यथोक्त	9	25	13	22	5215	5490	5900	सीबी 2
सीबी 3	यथोक्त	4 या 5 प्लार्ड जूट	4 या 5 प्लार्ड जूट	बाइकोम	यथोक्त	14	40	20	19	4925	5185	5575	सीबी 3
सीबी 4	यथोक्त	यथोक्त	3 प्लार्ड जूट	बाइकोम	यथोक्त	17	52	26	13	4205	4425	4755	सीबी 4
सीबी 5	2 प्लार्ड जूट	बाइकोम	बाइकोम	बाइकोम	यथोक्त	24	40	20	19	4345	4575	4920	सीबी 5
सीएल 1	यथोक्त	मलपाट	बाइकोम	मलपाट	यथोक्त	9	25	12	22	5215	5490	5900	सीएल 1
सीएल 2	3 प्लार्ड जूट	मलपाट	बाइकोम	मलपाट	यथोक्त	9	25	13	22	5215	5490	5900	सीएल 2
सीएफ 1	3 प्लार्ड जूट	बाइकोम	बाइकोम	बाइकोम	यथोक्त	11	24	12	25	6085	6405	6885	सीबीएफ 5
				श्रीर फाइबर									
सीबी इस्ट्यू	3 प्लार्ड जूट	बाइकोम	बाइकोम	बाइकोम (केन्द्र) ऊन (बाईर)	यथोक्त	9	28	14	19	4925	5185	5575	सीबीइस्ट्यू 1
सीए 1	ऐजेंगी ए	बाइकोम	बाइकोम	ऐजेंगी ए	यथोक्त	10	24	12	15	4345	4575	4920	सीए 1

(८) अनुमत सङ्ख्या.

बाना :— किसी भी षटार्थ में बाने की संख्या निम्नलिखित सहायताओं के अधीन रहते हुए बढ़ होगी जो उपरोक्त सारणी में दी गयी है।

(1) 76 सें० मी० से कम चौड़ाई वाली बटाइयों के लिए—माइनस 5%

(2) 76 सें० मी० ग्री० इससे अधिक जोड़ाई वाली जटाईयों के लिए—माहभस 10%

बाहल ऊंचाई : चटाइयों की पाइल ऊंचाई—1.5 मि०मी० की सहायता के अधीन रहते हुए बहू होगी जो उपरोक्त मारणी में दी गयी है।

प्रति वर्ग मीटर चट्टान का भार बढ़ेगा जो उपरोक्त सारणी में दिया गया है।

भटाई के भार में निम्नलिखित विशिष्ट सहायण अनुज्ञात की जाएंगी।

(1) 76 सें० मी० और उससे अधिक चौड़ाई वाली चटाई के लिए--मानक भार के ऊपर कम 7½ गा--10%

(2) 76 सें० मी० या इससे कम चौड़ाई वाली चट्टाई के लिए मानक भार के ऊपर प्लस 12%

निर्माणं

लम्बाई : 130 सें० मी० तक :  $\pm 13$  मि०मी०

130 सेंमी० से ऊपर : + 1%  
— 13 मि०मी०

बौद्ध : सभी प्रकार :  $\pm 13$  मि०मी०

जज़ीर : बटाई की जंजीरों की संख्या बहू होगी जो उपरोक्त सारणी में दी गयी है।

तब 1 लखी प्रति हेसी० मी० की सहायता अनुज्ञात की जाएगी।

सारणी-IV काश्मीर पायदान अटार्ड

(क) साधारण विशेषणार्थ

पाइल बनाने के लिए कसी हुई जंजीरों के बागों और कयर फाइबर के गुच्छों को अग्रतःस्थापित करके बनाई गयी चट्टाई।

(ब) सत्यतात्मक ध्यौरे :

क़्वालिटी	सूत का प्रकार										क़्वालिटी सं०	
	बंघाई	कसा हुआ	बाना	पाइल संरचना	जंजीर या सिर्रे प्रति डे०सी०मी० प्रति	बाना प्रति डे०सी०मी०	पाइल अंघाई मि०मी०	न्यूनतम	मानक	अधिकतम		
						न्यूनतम						
1	2	3	4	5	6	7	8	9	10	11	12	13
एफ़ एफ़ 1	ऐंजो बाइकोम या झलपाट	ऐंजो बाइकोम या झलपाट	बाइकोम	फाइबर श्रेणी 1 या 2	सज्जिविष्ट फाइबर	12	6	82	8115	8540	9180	एफ़ एफ़ 1



1	2	3	4	5	6	7	8	9	10	11	12	13
एफएफ 2	एजेगो वाइकोम या अलपाट	एजेगो वाइकोम या अलपाट	फाईबर श्रेणी 1 या 2	फाईबर श्रेणी 1 या 2	समिजबिस्ट फाईबर	14	7	32	8115	8580	9180	एफएफ 2
एफएफ 1	वाइकोम या एजेगो	अलपाट या एजेगो	वाइकोम	ऊन बाइंडर और फाईबर	यथोक्त	14	157	19	6375	6710	7215	एफएफ 1 डब्ल्यू
								(बाइंडर) 28(अन्तरिक)				
एफएफ 2 यक्यू	एजेगो या वाइकोम	एजेगो अलपाट या वाइकोम	वाइकोम	कयर फाईबर और ऊन	यथोक्त	12	127	35	9850	0370	11150	एफएफ 2 डब्ल्यू

## (ग) अनुशात सहायता :-

धाना :

किसी भी चटाई में जाने की संख्या निम्नलिखित सहायताओं के अधीन रहते हुए वह होगी जो उपरोक्त सारणी में दी गयी है।

(1) 76 सें० मी० से कम चौड़ाई वाली चटाइयों के लिए—माइनस 5%

(2) 76 सें०मी० और उससे अधिक चौड़ाई की चटाइयों के लिए—माइनस 10%

पाइल ऊंचाई चटाई की पाइल ऊंचाई वह होगी जो उपरोक्त सारणी में दी गई है। + 1.5 मि०मी० की सहायता अनुशात की जाएगी।

भार :

प्रति वर्ग मीटर चटाई का भार वह होगा जो उपरोक्त सारणी में दिया गया है। चटाइयों के भार में निम्नलिखित विशिष्ट सहायताएं अनुशात की आएंगी।

(1) 76 सें० मी० और उससे अधिक चौड़ाई वाली चटाई के लिए—मानक भार के ऊपर प्लस 7½% या माइनस 10%

(2) 76 सें०मी० और उससे कम चौड़ाई वाली चटाइयों के लिए मानक भार के ऊपर + 12½%

विमाण :

लम्बाई 130 सें० मी० तक : ± 13 मि०मी०

130 सें० मी० से अधिक + 1%

चौड़ाई — 13 मि०मी०

सभी प्रकार : ± 13 मि०मी०

जंजीर :

चटाइयों की जंजीरों की संख्या वह होगी जो उपरोक्त सारणी में दी गयी है।

+ लड़ी प्रति डेसी मीटर की सहायता अनुशात की जाएगी।

## सारणी—V सिनेट चटाइयां

## (क) साधारण विशेषताएं :

3 या अधिक लड़ियों के कलित कयर सूत से बनाई गयी और चटाई का रूप देने के लिए पायर्स तहो को एक साथ सिला जाएगा।

## (ख) संरचनात्मक व्यौरे :

क्वालिटी संख्यांक	सामग्री सूत की क्वालिटी	स्कोरेज म्यूनतम	प्लाई की लड़ियों की संख्या	डोरियो मोटाई मि०मी०	म्यूनतम	ग्राम/एम 2 मानक	ग्राम/एम 2 अधिकतम	क्वालिटी संख्यांक
1	2	3	4	5	6	7	8	9
एब ए 1	एजेगो	12	9	19	3475	3660	4025	एब ए 1
एब ए 2	एजेगो	12	11	25	4635	4880	5370	एब ए 2
एब ए 3	एजेगो	12	19	28	6955	7320	8050	एब ए 3
एब ए 4	एजेगो	15	3	10	2900	3050	3355	एब ए 4
एब ए 5	एजेगो	15	9	19	5215	5490	6040	एब ए 5
एबभार 1	आर्टेरी	12	9	29	3190	3355	3690	एबभार 1
एबभार 2	आर्टेरी	12	11	25	4345	4575	5035	एबभार 2
एबबी 1	वाइकोम	11	9	19	3475	3660	4025	एबबी 1
एबबी 2	वाइकोम	11	11	25	4635	4880	5370	एबबी 2
एबबी 3	वाइकोम	12	19	28	6375	6710	7380	एबबी 3
एबडी 1	अष्टसूत्री	9	9	25	5795	6100	6710	एबडी 1
एबएल 1	वास्तविक अलपाट	11	11	25	7535	7930	8725	एबएल 1

टिप्पण :—डोरी की आन्तरिक लड़ियों के लिए कयर सूत उचित क्वालिटी का हो सकता है।

## (ग) अनुशात सहायता :

विमाण : विभागों को प्लस या माइनस 13 मि०मी० की सहायता हो सकता है।

## सारणी—VI—सूप चटाईयाँ

(क) साधारण विशेषताएँ :

3 जंजीरों का प्रयोग करते हुए बनी हुई चटाई, जिसकी संरचना चटाईयों के समान है किन्तु पाइल कटी हुई नहीं होगी।

(ख) संरचनात्मक ब्यौरे :

क्वालिटी संख्यांक	कसी हुई जंजीर	स्कोरेज	बांधने वाली जंजीर	स्कोरेज	सूप हुई जंजीर	स्कोरेज न्यूनतम	बाना	स्कोरेज संरचना	सिरे डे०मी० न्यूनतम	प्रति डे०मी० मीटर पंक्तियों	भार/माप/एम न्यूनतम मानक अधिकतम	क्वालिटी संख्यांक
एल भार 1	वाइकोम	—	वाइकोम	—	घाटरी	13	वाइकोम—	सूप चटाईयां	9	11	2900 3050 3280	एल भार 1
एल बी 1	वाइकोम	—	वाइकोम	—	वाइकोम	11	वाइकोम—	सूप चटाईयां	10	14	3480 3660 3935	एल बी 1
एल ए 1	वाइकोम	—	—	—	ऐजेंगो	—	वाइकोम	सूप चटाईयां	10	12	4635 4380 5245	एल ए 1
एल ए 2	वाइकोम	5	ऐजेंगो	15	ऐजेंगो	—	वाइकोम—	सूप चटाईयां	10	10	2900 3050 3280	एल ए 2
एल ए 3	वाइकोम	13	वाइकोम	13	ऐजेंगो	14	विलेडी —	सूप चटाईयां	10	10	5215 5490 5900	एल ए 3

(ग) अनुज्ञात सहायताएँ :—

भार :—चटाई का प्रत्येक वर्ग मीटर का भार वह होगा जो उपरोक्त सारणी में दिया गया है। भार में भिन्नलिखित विशिष्ट सहायताएँ अनुज्ञात की जाएगी।

(1) 76 सें०मी० और उससे अधिक चौड़ाई वाली चटाई के लिए मानक भार के ऊपर प्लस 7½% या माइनस 10%

(2) 76 सें०मी० और उससे कम चौड़ाई के लिए—मानक भार के ऊपर प्लस 12½%

बिमाप : लंबाई 130 सें०मी० तक ± 13 मि०मी०  
130 सें०मी० से ऊपर ± 1%चौड़ाई : सभी आकार—13 मि०मी०  
± 13 मि०मी०

चटाई पर जंजीरों की संख्या वह होगी जो उपरोक्त सारणी में दी गयी है प्लस 1 लड़ी प्रति डे०मी० की सहायता अनुज्ञात की जाएगी।

## सारणी VII—जिमनासिया चटाई

(क) साधारण विशेषताएँ :

उसी विवरण की चटाई जो शलाका चटाईयों के लिए दिया गया है। चटाई की पाइल विशिष्ट अभेदाओं को पूरा करने के लिए शलाका पायवान चटाई से मोटी बनेगी।

(ख) संरचनात्मक ब्यौरे :

क्वालिटी संख्यांक	ताना	बाना	पाइल सूत	पाइल ऊंचाई	भार/माप/एम 2			क्वालिटी संख्यांक
					न्यूनतम	मानक	अधिकतम	
जी बी 1	वाइकोम सूत 10 सिरे प्रति डेसी मीटर	कसी हुई बुनाई के लिए पर्याप्त वाइकोम घामा इकट्ठा	वाइकोम सूत अखिरजित और अनुज्ञात तथा पिच से मुक्त होगा। 4 टापिंग अर्थात् चार तलों में एक साथ निकाला गया सूत	63 मि०मी०	11590	12200	13115	जी बी 1
जी बी 1	वाइकोम सूत 10 सिरे प्रति डेसी मीटर	कसी हुई 10 सिरे प्रति डेसी मीटर	बीच सूत खिरजित या अखिरजित। 3 टापिंग अर्थात् तीन तलों में एक साथ निकाला गया सूत।	63 मि०मी०	10430	1980	11805	जी बी 1

(ग) अनुज्ञात सहायताएँ :

पाइल ऊंचाई : परिरूपित चटाई की पाइल ऊंचाई 63 मि०मी० होगी। 1+3 मि०मी० की सहायता अनुज्ञात की जाएगी।

बिमाप : चटाई की बिमाप केला और विकेला के बीच करार के अनुसार होगी, जब तक कि अग्रव्या करार न किया गया हो बिमापों में + 13 मि०मी० की सहायता अनुज्ञात की जाएगी।

जंजीर : जंजीरों की संख्या वह होगी जो उपरोक्त सारणी में दी गयी है। प्रति डेसीमीटर + 1 लड़ी की सहायता अनुज्ञात की जाएगी।

## सारणी VIII—रस्सी बटाईयाँ लबर्स नाट बटाईयाँ

(क) साधारण विशेषताएं:

यह चटाई उचित मोटाई वाली कयर से बनी इकट्टरी रस्सी से बनी होगी, जो समतल सतह पर स्थित कीलों की संख्या द्वारा संचालित की जाएगी। रस्सी के आरम्भ और अंतिम दोनों सिरे बटाईयों में समाविष्ट किए जाते हैं।

(ख) संरचनात्मक व्योरे:

क्वालिटी संख्यांक	रस्सी का प्रकार	रस्सी के लिए सूत का प्रकार	रस्सी का व्यास	भार			क्वालिटी संख्यांक
				न्यूनतम	मानक	अधिकतम	
के ए 1	रेखित पर्वा	ऐजेंगो	17 एम एम	5215	5490	6040	के ए 1
के आर 1	रेखित पर्वा	आर्टरी	17 एम एम	4635	4880	5370	के आर 1

(ग) अनुज्ञात सहायताएं:

विमाण: लम्बाई में प्लस 19 मि०मीटर माइनस 13 मि०मीटर  
चौड़ाई में प्लस या माइनस 13 मि०मीटर

## सारणी IX—आलीबार बटाईयाँ

(क) साधारण विशेषताएं:

इस प्रकार की बटाई मोटे प्रकार के सूत की फ्रेम पर कीलों की एक संख्या के बीच क्रिस-क्रॉस ढंग से डालते हुई बनाई जाती है। इसके पश्चात् पतले सूत का प्रयोग करके क्रिस-क्रॉस सूत आपस में मिलने वाले बिन्दुओं को, ज्यादा गांठ बांधने की तकनीक का प्रयोग करते हुए बटाई बनाने के लिए बांधा जाता है।

(ख) संरचनात्मक व्योरे:

क्वालिटी संख्यांक	कच्ची सामग्री		बांधने का सूत	भार/ग्राम/एम 2			क्वालिटी संख्यांक
	सूत की क्वालिटी	लड़ियों की संख्या प्रति डेसी मीटर न्यूनतम		न्यूनतम	मानक	अधिकतम	
1	2	3	4	5	6	7	8
एन वार्ड ए 1	बेपोर	10 × 10	ऐजेंगो	3475	3660	4025	एन वार्ड ए 1
एन वार्ड आर 1	बेपोर	10 × 10	आर्टरी	3475	3660	4025	एन वार्ड आर 1

(ग) अनुज्ञात सहायताएं:

विमाण: लम्बाई में प्लस 13 मि०मीटर या माइनस 13 मि०मी०  
चौड़ाई में प्लस या माइनस 13 मि०मीटर

## सारणी X—गलियारा बटाईयाँ

(क) साधारण विशेषताएं:

यह ऐसी बटाई है जिसमें सामा और बाना की दोनों लड़ियाँ लगातार हों। इस बटाई की लाक्षणिक विशेषता यह है कि सिरों, बाने के सिरों में कोई बंधन या चुनट नहीं होती है।

(ख) संरचनात्मक व्योरे:

क्वालिटी संख्यांक	सामा		बाना		भार कि०ग्रा०/मीटर 2			क्वालिटी संख्यांक
	सूत की क्वालिटी	सिरे प्रति डेसी मीटर न्यूनतम	सूत की क्वालिटी	गणना न्यूनतम	न्यूनतम	मानक	अधिकतम	
1	2	3	4	5	6	7	8	9
डी ए 1	रस्सी सूत	6	ऐजेंगो	13	4345	4575	5035	डी ए 1
डी ए 2	रस्सी सूत	5	ऐजेंगो	12	3475	3660	4025	डी ए 2
डी ए 3	ऐजेंगो-इकट्टरी लड़ियाँ 12 स्कोर न्यूनतम	6	ऐजेंगो	15	3475	3660	4025	डी ए 3
डी ए 4	3 प्लाई बटा हुआ आर्टरी सूत 6 मि०मी० व्यास	5	ऐजेंगो 6 मि०मी० व्यास	—	5212	5490	6040	डी ए 4

1	2	3	4	5	6	7	8	9
डी प्रार 1	रस्सी सूत	6	घाटरी	13	4055	4270	4695	डी प्रार 1
डी प्रार 2	रस्सी सूत	5	घाटरी	12	3185	3355	3690	डी प्रार 2
डी प्रार 3	घाटरी-दुहरी लड़ियां 12 स्कोर न्यूनतम	6	घाटरी	15	3185	3355	3690	डी प्रार 3
डी एल 1	रस्सी सूत	5	मलपट	12	4055	4270	4695	डी एल 1
डी बी 1	रस्सी सूत	5	बाइकोम	11	2900	3050	3355	डी बी 1
डी बी 2	रस्सी सूत	3	बाइकोम	11	5505	5795	6375	डी बी 2
डी टी 1	रस्सी सूत	5	टी बाइकोम	—	3475	3660	4025	डी टी 1
डी क्यू 1	रस्सी	5	क्विलेडी	8	3765	3965	4360	डी क्यू 1
डी क्यू 2	क्विलेडी सूत से पूर्णतः घाबूत फास्टरीपर	3	क्विलेडी	—	10430	10980	12080	डी क्यू 2
डी सी 1	लक्का दीप रस्सी सं० 2	2	लक्का दीप रस्सी संख्या	5	5213	5490	6040	डी सी 1
डी वार्ड 1	बेपोर	5	बेपोर	8	4055	4270	4695	डी वार्ड 1

(ग) अनुज्ञात सहायताएं: विमाएं: विमाओं में निम्नलिखित सहायता अनुज्ञात की जाएगी।

(i) लम्बाई + 19 मि०मीटर और — 13 मि०मीटर

(ii) चौड़ाई + 13 मि०मीटर

[सं० 6(2)/76-नि०नि० तथा नि०उ०]

सं० प्रकाश, प्रथम सविश्व

## MINISTRY OF COMMERCE

### ORDER

New Delhi, the 10th July, 1982

**S.O. 2480.**—Whereas the Central Government, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), is of opinion that it is necessary and expedient so to do for the development of the exports trade of India that Coir products shall be subject to quality control and inspection;

And whereas the Central Government has formulated the following proposals for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub rule, and in supersession of the notification of the Government of India in the Ministry of Commerce Nos. S.O. 3918 dated the 16th December, 1965 relating to Coir products S.O. 2779, dated 11th August, 1967 relating to additional items of Coir products, and notification in the erstwhile Ministry of foreign Trade No. S.O. 2594 dated the 29th July, 1970 relating to certain other additional items of Coir Products excepts as respect things done or omitted to be done, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

Notice is hereby given that any person desiring to forward any objection or suggestions with respect to the said proposals may forward the same within 45 days of the date of publication of this notification order in the Official Gazette to the Export Inspection Council 3, Saraswati Marg, Municipal Market Building (4th floor), Karol Bagh, New Delhi-110005.

### PROPOSALS

- (1) to notify that coir products shall be subject to quality control and inspection prior to export;
- (2) to specify the type of quality control and inspection in accordance with the draft Export of Coir Products (Inspection) Rules, 1982, set out in Annexure 1 to this order, as the type of quality control and inspection which shall be applied to such coir products prior to export;

(3) to recognise—

- the specification for coir products as set out in Annexure II to this Order as the standard specifications for coir products;
  - the samples or specifications approved by the foreign buyer provided such samples or specifications do not fall below the minimum requirements of the recognised standard specifications under items (a) above;
  - the specifications which do not fall under item (a) above but formulated by a panel of experts appointed by the Export Inspection Council for the purpose;
  - to prohibit the export in the course of international trade of coir products unless the same are accompanied by a certificate issued by any one of the Export Inspection Agencies established under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that the coir products conform to the specifications recognised under sub-paragraph (3) and are exportworthy.
2. Nothing in this Order shall apply to the export by sea, land or air, of samples of the coir products to prospective buyers.
3. In this Order "Coir Products" means the following types of products, namely:—
- Rod door mats;
  - bit door mats;
  - creel and fibre door mats;
  - corridor mats;
  - sinnet mats;
  - loop mats;
  - gymnasia mats;
  - rope mats;
  - mesh mats; and
  - any other type of coir mats.

### ANNEXURE-I

Draft Rules proposed to be made in supersession of Export Coir, products (Inspection) Rule 1965, under section 17 of



the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

1. Short title and commencement.—(1) These rules may be called the Export of Coir Products (Inspection) Rules, 1982.

(2) They shall come force on the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless the context otherwise requires,—

- (i) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) ;
- (ii) "agency" means any one of the Export Inspection Agencies recognised under section 7 of the Act.
- (iii) "Coir Products" means the following types of products namely :—
  - (a) rod door mats ;
  - (b) bit door mats ;
  - (c) creel and fibre door mats ;
  - (d) corridor mats ;
  - (e) sinnet mats ;
  - (f) loop mats ;
  - (g) gymnasium mats ;
  - (h) rope mats ;
  - (i) mesh mats ; and
  - (j) any other type of coir mats ;

### 3. Basis of inspection :

Inspection of coir products intended for export shall be carried out with a view to seeing that coir products conform to the specifications recognised by the Central Government under section 6 of the Act.

### 4. Procedure of inspection :

- (1) An exporter intending to export coir products shall give intimation in writing of his intention so to do the nearest office of the Export Inspection Agency.
- (2) Every intimation for this purpose shall be given not less than 72 hours before the expected date of shipment.
- (3) On receipt of the intimation referred to in sub-rule (2), the agency shall inspect the consignment of coir products in accordance with the instructions issued by the Export Inspection Council in this behalf from time to time with a view to a seeing that the same complies with the requirements of the recognised specifications and the exporter shall provided all necessary facilities to the agency to enable it to carry out such inspection ;
- (4) After satisfying itself that the consignment of coir products conform to the recognised specifications, the agency shall, within 3 days of the receipt of the intimation and the particulars of the consignment under sub-rule (1) of rule 4, issue a certificate to the exporter declaring that the consignment is in conformity with the recognised specifications and is exportworthy. Provided that where the agency is not so satisfied, it shall within the said period of 3 days refuse to view certificate and communicate such refusal to the exporter alongwith the reasons therefor.

5. Place of inspection :—Every inspection under these rules shall be carried out either—

- (a) at the premises at which the consignments of coir products are offered by the exporter for inspection provided adequate facilities for the purpose exist therein, or
- (b) such other place as may be specified by the agency for the purpose.

6. Appeal.—Any person aggrieved by the refusal to issue a certificate under rule 4 may, within ten days of receipt of the communication of such refusal, prefer an appeal to

such appellate panel consisting of not less than three persons as may be constituted by the Central Government for the purpose.

7. Inspection fee.—A fee at the rate of Rs. 0.60 for each bundle subject to a minimum of Rs. 6.00 per consignment shall be paid as inspection fee for inspection of coir products.

## ANNEXURE II

### Specifications for Coir Products :

#### 1. General requirements :

1.1 The fibre, yarn and rope used in the manufacture of coir mats shall be of uniform quality, clean and free from impurities and may be bleached or unbleached, of natural colour or dyed. The Coir yarn used shall be of two ply.

1.2 The mats shall be firmly and evenly woven. The protruding warp ends shall be suitably secured and properly fastened. Pile tufts shall be secured and the cropping shall be of uniform level.

1.3 Braids used shall be of uniform construction. When attached along the edges, the braids shall be made of hard-twist yarn and properly stitched to the mat with at least three stitches per decimeter. In rod and gymnasium mats, the number of ply of braids shall not be less than five and eleven respectively. The core strands of braid used for sinnet mats shall be of suitable variety and scorage.

1.4 The mats may also be stencilled or may have designs or letters woven into them. The in laid or stencilled designs shall be clear and uniform when bevelled.

1.5 The mats shall be in shapes and sizes as contracted for.

1.6 The cordage when used in gymnasium mats shall consist of coir or hemp rope having a circumference of 38 mm. or 11 ply braid of 25 to 30 mm width, made of hard twisted yarn.

1.7 The coir rope used in the manufacture of rope mats shall be well twisted and shroud laid consisting of sufficient number of twisted strings in each of the four strands.

1.8 In the case of rope mats, proper stitching shall be done to ensure that the layers at the sides do not slip. The two ends of the rope shall be merged into the body of the mat so that the ends are concealed.

1.9 In the case of mesh mats, the knotting with the binding yarn shall be secure, tight and uniform.

1.10 The mat shall be free from strains dirt and other extraneous matters.

1.11 The mats may have other special finishing as agreed to in the export contract.

#### 2. Specific requirements :

2.1 The requirements in respect of chain/pick, pile height, construction and weight for different varieties of mats shall be as set out in Tables I to X below or be in accordance with the specifications formulated by the panel of experts appointed for the purpose.

2.2 The number of picks specified for the basic grade of a quality is the minimum for the higher grades.

2.3 Permissible tolerances in respect of picks, pile height, weight and dimensions for different varieties of mats shall be as set out in Tables I to X below or be in accordance with the specifications formulated by the panel of experts appointed for the purpose.

2.4 The quality code numbers shall be assigned in such a way as to denote the variety by the first letter and the type of material specified for the pile by the second and third letters. The pile height/weight shall be denoted in brackets after the quality code number.

2.5 Mats with gaps of tuftless portions in the following varieties shall be allowed for export.

- (1) creel mats ;
- (2) rod mats ;

- (3) bit mats ;  
 (4) fibremats ;  
 (5) loop mats ;

2.6 Higher grades in each quality are delineated with a difference of 6 mm in pile height and a corresponding increase in weight by 1220 gms per square metre for every increase in pile height by 6 mm over the minimum and maximum weights prescribed for the following varieties of mats ;

- (1) Creel mats,  
 (2) rod mats;  
 (3) bit mats,  
 (4) fibre mats,  
 (5) gymnasia mats,

2.7 In the case of the following varieties of mats higher grades in each quality are delineated with an increase in weight by 915 gms per square metre for every increase over the minimum and maximum weights prescribed,—

- (1) loop mats;  
 (2) corridor mats,  
 (3) sinnet mats,  
 (4) rope mats,  
 (5) mesh mats,

### 3. Quality Code Numbers .

3.1 The first letters in the quality code numbers shall indicate the variety of mats as follows .—

- |              |     |
|--------------|-----|
| (1) Creel    | : C |
| (2) fibre    | : F |
| (3) rod      | : R |
| (4) bit      | : B |
| (5) gymnasia | : G |
| (6) loop     | : L |

- |                         |     |
|-------------------------|-----|
| (7) corridor            | : D |
| (8) sinnet              | : N |
| (9) lovers Knots (lope) | : K |
| (10) mesh               | : M |

3.2 The second and third letters in the quality code numbers shall indicate the variety of yarn used as follows :—

- |                     |      |
|---------------------|------|
| (1) Anjengo         | : A  |
| (2) Mangadan        | : M  |
| (3) Ashtamudy       | : D  |
| (4) Aratory         | : R  |
| (5) Alapat          | : L  |
| (6) Vycome          | : V  |
| (7) Thurumpu Vycome | : T  |
| (8) Beypore         | : Y  |
| (9) Quilandy        | : Q  |
| (10) Beech          | : B  |
| (11) Roping         | : P  |
| (12) Laccadive      | : C  |
| (13) Wool           | : W  |
| (14) Fibre          | : F. |

### 4 Packing .

4.1 The mats shall be packed as agreed to between the buyer and the seller, care being taken not to damage the mat. The package shall be wrapped with new hessian of minimum 2 178,00 meters (7oz a yard).

4.2 Each package shall be marked with the following particulars :—

- (a) Notified quality number and brand name.  
 (b) Size.  
 (c) Number of pieces in the package.  
 (d) Code/Name of the exporter/foreign buyer, if any.  
 (e) Serial number of packages.  
 (f) Gross weight.  
 (g) Shipping Marks

TABLE—J  
 Rod Door Mats

(a) General Characteristics : In this mat the pile is formed by cutting the topping yarn, 2 or more yarns folded together and wound with the warp over a grooved iron rod.

(b) Construction details .

Quality Number	Chain	Weft	Pile	Construction	Chains of ends min. per dm	Picks min per dm	Pile height mm	Weight			Quality Number
								Min.	Std	Max	
1	2	3	4	5	6	7	8	9	10	11	12
RB 1	Beach or Vycome	Beach	Beach	2x2	9	9	25	4055	4270	4590	RB 1
RB 2	Beach or Vycome	Beach	Beach	2x1	10	11	25	4635	4880	5245	RB 2
RB 3	Beach or Vycome	Beach	Beach	2x2	10	9	28	5215	5490	5900	RB 3
RB 4	Beach or Vycome	Beach	Beach	3x1	10	11	28	5215	5490	5900	RB 4
RB 5	Beach or Vycome	Beach	Beach	4x1	10	11	38	6955	7320	7870	RB 5
RV 1	Vycome	Vycome	Vycome	3x1	10	12	32	6955	7230	7870	RV 1
RV 2	Vycome	Vycome	Vycome	4x2	10	9	32	6955	7320	7870	RV 2
RV 3	Vycome	Vycome	Vycome	4 x1	10	10	32	6955	7320	7870	RV 3
RV 4	Vycome	Vycome	Vycome	6x1	12	13	35	7535	7930	8525	RV 4
RV 5	Vycome	Vycome	Vycome	4x1	12	10	32	6955	7320	7870	RV 5
RT 1	Vycome	T. Vycome	T Vycome	3x1	10	9	32	6955	7320	7870	RT 1
RT 2	Vycome or Beach	T Vycome/ Vycome	T Vycome	3x2	10	8	32	6375	6710	7215	RT 2
RL 1	Vycome	Vycome	Alapat	4x1	10	10	38	6955	7320	7870	RL 1
RD 1	Vycome	Vycome	Ashtamudy	3x1	10	10	35	8115	8540	9180	RD 1
RR 1	Vycome or Alapat	Vycome	Aratory	4x1	10	12	44	9270	9760	10490	RR 1

1	2	3	4	5	6	7	8	9	10	11	12
ROD Inlaid Mats : The characteristics of rod inlaid mats are same as for rod mats except that designs are woven into the mat using plain and coloured coir fibre.											
RBF 1	Beach or Vycome	Beach	Beach & Fibre	2x2	10	10	28	5215	5490	5900	RBF 1
RBF 2	Beach or Vycome	Beach	-do-	3x1	11	11	28	5795	6100	6560	RBF 2
RBF 3	Beach or Vycome	Beach	-do-	3x2	11	11	28	5795	6100	6560	RBF 3
RVF 1	Vycome	Vycome	Vycome & Fibre	4x1	11	12	32	7535	7930	8525	RVF 1
RTF 1	Vycome	Vycome	T. Vycome & Fibre	2x1	12	12	32	6375	6710	7215	RTF 1
RRF 1	Vycome	Vycome	Aratory & Fibre	4x1	10	12	38	8115	8540	9180	RRF 1
RLF 1	Vycome or Alapat	Vycome	Alapat & Fibre	4x1	10	11	38	8115	8540	9180	RLF 1
RTF 2	Vycome	T. Vycome	T. Vycome & Fibre	3x1	10	10	35	7535	7930	8525	RTF 2

## (c) Tolerances permitted :

Picks : The number of picks allowed in any mat shall be as given in the above Table subject to the following tolerances :—

(1) for mats of width of less than 76 cms.—minus 5%;

(2) for mats of width of 76 cms and above—minus 10%.

Pile height : The pile height of mats shall be as given in the above Table. A tolerance of plus or minus 3 mm in the pile height shall be permitted.

Weight : The weight per unit area shall be as given in the above Table. The following special tolerance on the weight shall be permitted;—

(1) for mats of width of 76 cms. and above—plus 7 1/2 % or minus 10 % over the standard weight.

(2) for mats of width of 76 cms. and below—plus 12 1/2 % over the standard weight.

Dimensions : Length upto 130 cm.  $\pm 13$  mm

over 130 cm.  $\pm 1$  %

Width All sized  $\pm 13$  mm

Chains : The number of chains of mat shall be as given in the above Table. A tolerance of plus 1 strand per dm. shall be permitted.

TABLE II

## Bit Door Mats

## (a) General Characteristics :

A mat made by insertion of bits of coir yarn around alternate strands of the chain.

## (b) Constructional details :

Quality Number	Type of Yarn			Con-struction	Chain min. per dm.	Picks min. per dm.	Pile height mm ;	Weight			Quality Number
	Chain	Weft	Pile					Min.	gm/m2 Std.	Max.	
PLAIN OR MOTTLED :											
BB1	Beach or Vycome	Beach	Beach bits	Inserted bits	9	9	31	6375	6710	7215	BB 1
BV 1	Vycome	Vycome	Vycome bits	-do-	9	9	35	7535	7930	8525	BV 1
BA 1 i	Vycome	Vycome	Hard twisted yarn bits	-do-	9	9	35	8115	8540	9180	BA 1

## (c) Tolerances permitted :

Picks : The number of picks allowed in any mat shall be as given in the above table subject to the following tolerances :

(1) for mats of width of less than 76 cms.—minus 5%;

(b) For mats of width of 76 cms. and above—minus 10%.

Pile height : The pile height of mats shall be given in the above Table. A tolerance of plus or minus 3 mm in the pile shall be permitted.

Weight : The weight per unit area shall be as given in the above Table. The following tolerances on the weight shall be permitted.

(1) for mats of width of 2176 cms. and above—plus 7 1/2 % or minus 10 % over standard weight;

(2) for mats of width of 76 cms. and below—plus 12 1/2 % over the standard weight.

Dimensions : Length : upto 130 cm.  $\pm 13$  mm

over 130 cm.  $\pm 1$  %

$\pm 13$  mm

Width : All sized  $\pm 13$  mm.

Chains : The number of chains of mats shall be as given in the above Table : A tolerance of plus 1 strand per dm. shall be permitted.

TABLE III  
Creel Door Mats

## (a) General Characteristics :

A mat made of either two chains, one tight and one slack or three chains, one tight one slack and one pile. Pile is formed by cutting the pile chain.

## (b) Constructional details :

Quality Number	Type of Yarn				Construction	Chain or ends min. per dm.	Picks min. per dm.	Rows min. per dm.	Pile height mm	Weight gm/m <sup>2</sup>			Quality Number
	Binding chains	Tight Chain	Weft	Pile						Min.	Std.	Max.	
CBI	..	Beach or	Beach	Beach	Warp cut pile	9	24	12	22	4635	4880	5245	CBI
CB2	2 or 3 ply jute	-do-	Beach	Beach	-do-	9	24	12	25	5795	6100	6580	CB2
CV1	..	Vycome	Vycome	Vycome	-do-	9	25	12	22	5215	5490	5900	CV1
CV2	2 or 3 ply jute	Vycome	Vycome	Vycome	-do-	9	25	13	22	5215	5490	5900	CV2
CV3	-do-	4 or 5 ply	4 or 5 ply jute	Vycome jute	-do-	14	40	20	19	4925	5185	5575	CV3
CV4	-do-	-do-	3 ply jute	Vycome	-do-	17	52	26	13	4205	4425	4755	CV4
CV5	2 ply jute	Vycome	Vycome	Vycome	-do-	14	40	20	19	4345	4575	4920	CV5
CL1	-do-	Alapat	Vycome	Alapat	-do-	9	25	12	22	5215	5490	5900	CL1
CL2	3 ply jute	Alapat	Vycome	Alapat	-do-	9	25	13	22	5215	5490	5900	CL2
CVF1	3 ply jute	Vycome	Vycome	Vycome and Fibre	-do-	11	24	12	25	6085	6405	6885	CV1
CVW1	3 ply jute	Vycome	Vycome	Vycome (Centre) wool (Border)	-do-	9	28	14	19	4925	5185	5575	CVW1
CA1	Anjengo A	Vycome	Vycome	Anjengo A	-do-	10	24	12	15	4345	4575	4920	CA1

## (c) Tolerances permitted :

Picks : The number of picks allowed in any mat shall be as given in the above Table. subject to the following tolerances ;

(1) for mats of width of less than 76 cms—minus 5%;

(2) for mats of width of 76 cms and over—minus 10%.

Pile Height : The pile height of the mats shall be as given in the above Table subject to a tolerance of  $\pm 1.5$  mm.

Weight : The weight per sq. metre of mats shall be as given in the above Table. The following special tolerances in the weight of mats shall be permitted.

(1) for mats of width of 76 cms. and over—plus 7 1/2 % or minus 10 % over the standard weight;

(2) for mats of width of 76 cms. and below—plus 12 1/2 % over the standard weight.

Dimensions : Length : Upto 130 cm + 13 mm

Over 130 cm + 1 %

+ 13 mm

Width : All sized

+ 13 mm.

Chains : The number of chains of mat shall be as given in the above Table. A tolerance of plus 1 strand per dm. shall be permitted.

TABLE IV  
Fibre Door Mats

## General Characteristics :

A mat made by inserting tufts of coir fibre around the tight chains to form the pile.

## (b) Constructional details :

Quality Number	Type of Yarn				Construction	Chain or ends Min. per dm.	Picks Min. per dm.	Rows Min. per dm.	Pile height mm.	Weight gm/m <sup>2</sup>			Quality Number
	Binding	Tight	Weft	Pile						Min.	Std.	Max.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
FF 1	Anjengo Vycome or Alapat	Anjengo Vycome or Alapat	Vycome	Fibre Grade 1 or 2	Inserted Fibre	12	12	6	32	8115	8540	9180	FF 1
FF 2	-do-	-do-	Vycome	-do-	-do-	14	14	7	32	8115	8540	9180	FF 2



1	2	3	4	5	6	7	8	9	10	11	12	13	14
FFW 1	Vycome or Anjengo	Alapat or Anjengo	Vycome	Wool Border & Fibre Centre	Inserted Fibre	14	15	7	19 (Border) 28 (Inside)	6375	6710	7215	FFW 1
FFW 2	Anjengo or Vycome	Anjengo Alapat or Vycome	Vycome	Coir Fibre & Wool	-do-	12	12	6	35	9850	10370	11150	FFW 2

## (c) Tolerances permitted :

- Picks :** The number of picks allowed in any mats shall be as given in the above Table subject to the following tolerances:—  
 (1) for mats of width of less than 76 cms.—minus 5%;  
 (2) for mats of width of 76 cms and over—minus 10%;
- Weight :** The weight per sq. metre of mats shall be as given in the above Table.  
 The following special tolerances in the weight of mats shall be permitted:—  
 (1) for mats of width of 76 cms and over—plus 7 1/2 % or minus 10 % over the strand weight;  
 (2) for mats of width of 76 cms and below—plus 12 1/2 % over the standard weight.
- Pile Height :** The pile of mats shall be as given in the above Table. A tolerance of  $\pm 3$  mm shall be permitted.
- Dimensions :** Length : upto 130 cm :  $\pm 13$  mm  
 over 130 cm :  $\pm 1\%$   
 :  $\pm 13$  mm  
 Width : All sized :  $\pm 13$  mm.
- Chains :** The number of chains of mat shall be as given in the above Table.  
 A tolerance of plus 1 strand per dm. shall be permitted.

TABLE V

## Slatet Mats

## (a) General Characteristics :

A mat made of plaited coir yarn of 3 or more strands and the adjacent layers stitched together to form the mat.

## (b) Constructional details :

Quality Number	Material			Braid		Weight gm/m2			Quality Number
	Quality of yarn	Scoreage Min.	No. of strands of ply	Thickness	Min.	Std.	Max.		
				mm					
1	2	3	4	5	6	7	8	9	
NA 1	Anjen	12	9	19	3475	3660	4025	NA 1	
NA 2	Anjengo	12	11	25	4635	4880	5370	NA 2	
NA 3	Anjengo	12	19	28	6955	7320	8050	NA 3	
NA 4	Anjengo	15	3	10	2900	3050	3355	NA 4	
NA 5	Anjengo	15	9	19	5215	5490	6040	NA 5	
NR 1	Aratory	12	9	19	3190	3355	3690	NR 1	
NR 2	Aratory	12	11	25	4345	4575	5035	NR 2	
NV 1	Vycome	11	9	19	3475	3660	4025	NV 1	
NV 2	Vycome	11	11	25	4635	4880	5370	NV 2	
NV 3	Vycome	12	19	28	6375	6710	7380	NV 3	
ND 1	Ashtamddy	9	9	25	5795	6100	6710	ND 1	
NL 1	Real Alapat	11	11	25	7535	7930	8725	NL 1	

Note : Coir yarn for the inner strands of the braid may be of a suitable quality.

## (c) Tolerance permitted :

Dimensions : The dimensions may have a tolerance of plus or minus 13 mm.

A tolerance of plus 1 strand per dm. shall be permitted.

TABLE VIII  
Rope Mats (Lovers Knot Mats)

## (a) General Characteristics :

This mat is made with a single coir rope of suitable thickness, guided through a number of upright nails fixed on a flat surface. Both, starting and finishing ends of the rope are merged into the mat.

## (b) Constructional details :

Quality Number	Type of Rope	Type of yarn for rope	Diameter of Rope	Weight gm/m <sup>2</sup>			Quality Number
				Min.	Std.	Max.	
KA 1	Shroud laid	Anjengo	17 mm	5215	5490	6040	KA 1
KR 1	Shroud laid	Aratory	17 mm	4635	4880	5370	KR 1

## (c) Tolerances permitted :

Dimensions : Plus 19 mm minus 13 mm in length.  
Plus or minus 13 mm in width.

TABLE IX  
Mesh Mats

## (a) General Characteristics :

This type of mat is usually made by laying a comparatively thicker variety of yarn in Criss-Cross manner between a number of nails on a frame. Thereafter, using a thinner yarn, the intersecting points of criss-cross yarns are bound by applying simple knitting technique to form the mat.

## (b) Constructional details :

Quality Number	Raw Material		Binding yarn	Weight gm/m <sup>2</sup>			Quality Number
	Quality of yarn	No. of strands minimum per dm.		Min.	Std.	Max.	
1	2	3	4	5	6	7	8
NYA 1	Bey pore	10 × 10	Anjengo	3475	3660	4025	NYA1
MYR 1	Bey pore	10 × 10	Aratory	3475	3660	4025	MYR1

## (c) Tolerances permitted :

Dimensions : Plus 19 mm or minus 13 mm in length  
Plus or minus 13mm in width.

TABLE X  
Corridor Mats

## (a) General Characteristics :

A mat in which both the warp and weft strands are continuous. The characteristic feature of this mat is that there is no tucking in or binding of the warp ends.

## (b) Constructional details :

Quality Number	Warp		Weft		Weight kg/m <sup>2</sup>			Quality Number
	Quality of yarn	Ends per dm. min.	Quality of yarn	Spillage min.	Min.	Std.	Max.	
1	2	3	4	5	6	7	8	9
DA 1	Rope Yarn	6	Anjengo	13	4745	4575	50353	DA 1
DA 2	Rope Yarn	5	Anjengo	12	3475	3660	4025	DA 2
DA 3	Anjengo-Double strands 12	6	Anjengo	15	3475	3660	4025	DA 3
	Score minimum							
DA 4	3 ply twisted Aratory yarn	5	Anjengo	6mm dia	5215	5490	6040	DA 4
	yarn 6 mm. dia							
DR 1	Rope yarn	6	Aratory	13	4055	4270	4695	DR 1
DR 2	Rope yarn	5	Aratory	12	3185	3355	3690	DR 2
DR 3	Aratory-Double strands 12	6	Aratory	15	3185	3355	3690	DR 3
	Score minimum							

1	2	3	4	5	6	7	8	9
DL 1	Rope Yarn	5	Alapat	12	4055	4270	4695	DL 1
DV 1	Rope yarn	5	Vycome	11	2900	3050	3355	DV 1
DV 2	Rope yarn	3	Veycome	11	5505	5795	6375	DV 2
DT 1	Rope y. rn	5	T. Vycome	..	3475	3660	4025	DT 1
DQ 1	Rope	5	Quilandy	8	3765	3965	4360	DQ 1
DQ 2	Wooden reapers fully covered with quilandy yarn.	3	Quilandy	..	10430	10980	12080	DQ 2
DC 1	Laccadive Rope No. 2	5	Laccadive Rope No. 2	5	5125	5490	6040	DC 1
DY 1	Beypore	5	Beypore	8	4055	4270	4695	DY 1

(c) Tolerance permitted :

Dimensions : The following tolerances on the dimensions shall be permitted :—

(i) Length  $\pm 19\text{mm}$  and  $\pm 13\text{mm}$ (ii) Width  $\pm 13\text{mm}$ .

[F. No. 6(2)/76-BI&amp;EP]

S. PRAKASH, Under Secy.

## ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 19 जून, 1982

क्र० आ० 2481.—केन्द्रीय सरकार, को यह प्रतीत होता है कि हमसे उदाहरित अनुसूची में उल्लिखित भूमि में कोयला उत्पन्न किए जाने की संभावना है।

अतः केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 को उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कोयले का पूर्वोक्षण करने के लिए अपने आशय की सूचना देती है ;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक की निरीक्षण कलक्टर, बर्दवान (पश्चिमी बंगाल) के कार्यालय में या कोयला नियंत्रक, 1, काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में अथवा निवेशक नियमित योजना और परियोजना भारत कोलिंग कोल लिमिटेड, कोयला धनबाद कारखाने सराय डेला, जिला धनबाद (बिहार) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाला भूमि में हितवृद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 को उपधारा (7) में निर्दिष्ट सभी मन्थों, बाटों और अन्य वस्तुओं को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर निवेशक (ओ) पश्चिम, भारत कोलिंग कोल लिमिटेड, धनबाद को भेजेंगे।

## अनुसूची

ब्लॉक सं० 1 और 2 विस्तारण

क्रम सं० (ग्राम) सं०	मौजा	बाना	जिला	क्षेत्र (एकड़ में)	टिप्पणियाँ
1.	इरकाटा	3	कुल्दी	बर्दवान	287 एकड़ पूर्ण
2.	सालनपुर	27	"	"	93 " भाग
3.	नाकराजपुरिया	26	"	"	14 " भाग
कुल क्षेत्र				394 एकड़ (लगभग)	
				180 हैक्टर (लगभग)	

सीमा वर्णन :

क-ख-ग-घ

रेखा मौजा इरकाटा के परिमाण के साथ-साथ जाती है और बिन्दु "ब" पर मिलती है।

इ-प-छ-ज-झ-ञ

रेखा भागन मौजा नाकराजपुरिया, मौजा सालन पुर के साथ-साथ जाती है और बिन्दु "झ" पर मिलती है।

[सं० 19/31/82-सी० एन०]

स्वर्ण सिंह, अधीक्षक

## MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 19th June, 1982

S. O. 2481.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed:

Now therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected in the office of the Collector, Burdwan (West Bengal) or in the office of the Coal Controller, 1, Council House Street, Calcutta, or in the Office of the Director (Corporate Planning and Projects), Bharat Coking Coal Limited, Dhanbad within ninety days from the date of the publication of this notification in the

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Director (O) West, Bharat Coking Coal Limited, Dhanbad within ninety days from the date of the publication of this notification in the 1st Gazette.

## SCHEDULE

Block No 1 &amp; 2 Extension.

S No (Village)	Mouza No.	Thana Police Stn. (Thana)	District	Area in Acres.	Remarks
1. Indkata	2	Kulti	Burdwan	287 Acres	Full
2. Salanpur	27	„	„	93 „	Part
3. Nakra-juria	26	„	„	14 „	Part

Total Area --394 Acres (Approx).  
--160 Hectares (Approx).

## BOUNDARY DESCRIPTION:

A—B—C D Line passes along the perimeter of Mouza Indkata and meets at point 'D'.  
E—F—G—H—I—J— Line passes along part of Mouza Nakrajuria, Mouza Salanpur and meets at Point 'J'.

[No. 19/31/82-CL]

SWARAN SINGH, Under Secy.

## नावहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 26 जून, 1982

कां० प्रा० 2482—केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क की उपधारा (3) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित व्यक्तियों को, उक्त अधिनियम की धारा 5क की उपधारा (1) के अधीन स्थापित विशाखापटनम डाक लेबर बोर्ड में सदस्यों के रूप में नियुक्त करनी है अर्थात्—

केन्द्रीय सरकार का प्रतिनिधित्व करने वाले सदस्य

- (1) अध्यक्ष, विशाखापटनम पत्तन स्थाप, विशाखापटनम।
- (2) उपाध्यक्ष, विशाखापटनम डाक लेबर बोर्ड, विशाखापटनम
- (3) संयुक्त प्रबंधक (जन्य प्रचालन), भारतीय डाक विभाग विशाखापटनम
- (4) डाक प्रबंधक, विशाखापटनम पत्तन स्थाप, विशाखापटनम

डाक कर्मकारों का प्रतिनिधित्व करने वाले सदस्य

- (1) श्री एम० बी० भद्रम } विशाखापटनम हारबर एंड
- (2) श्री एस० पी० परशुराम } वर्कर्स यूनियन के प्रतिनिधि
- (3) श्री जे० रामनाथ } }
- (4) श्री पी० एम० नाथडु } पोटं खमसी युनियन विशाखापटनम का प्रतिनिधि।

डाक कर्मकारों और नावहन कर्मीयों के नियोजकों का प्रतिनिधित्व करने वाले सदस्य

- (1) श्री के. गान्धी रेडिफ } एसोसिएशन विशाखापटनम के प्रति-
- (2) श्री डॉ० बनर्जी } निधि
- (3) श्री जी. वट्टाप्पियन्ना } इंजिनर नेशनल शिप आनर्स एसो-
- (4) श्री आर. सी० बनर्जी } समुद्र पार नावहन के हितों का प्रतिनिधि

2. केन्द्रीय सरकार, श्री टी० आर० प्रसाद अध्यक्ष, विशाखापटनम पत्तन स्थाप विशाखापटनम को उक्त बोर्ड के अध्यक्ष का रूप में नियुक्त करती है।

[कां० सं० वि० डी० बी०/6/82-ए०एम० ए०]

नामान माल्यु अवर मविन

## MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 26th June, 1982

S. O. 2482—In exercise of the powers conferred by sub-sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints the following persons as members of the Visakhapatnam Dock Labour Board established under sub-section (1) of the said section 5A, namely:—

Members representing the Central Government:

- (1) The Chairman, Visakhapatnam Port Trust, Visakhapatnam.
- (2) The Deputy Chairman, Visakhapatnam Dock Labour Board, Visakhapatnam.
- (3) The Joint Manager (Port Operations), Food Corporation of India, Visakhapatnam.
- (4) The Docks Manager, Visakhapatnam Port Trust, Visakhapatnam.

Members representing the Dock Workers:—

- (1) Shri M.V. Bhadram } Representatives of the Visakhapatnam Harbour and Port Workers' Union, Visakhapatnam.
- (2) Shri S. Parasuram }
- (3) Shri J. Ramanaidu }
- (4) Shri P.M. Naidu } Representative of the Port Khalasis Union, Visakhapatnam.

Members representing the Employers of Dock Workers and Shipping Companies:—

- (1) Shri K. Gangireddy } Representatives of the Visakhapatnam Stevedores Association.
- (2) Shri D. Banerjee }
- (3) Shri G. Pattabhi Ramayya } Representative of the Indian National Shipowners' Association
- (4) Shri R.C. Banerjee } Representative of the Overseas Shipping Interests.

2. The Central Government hereby nominates Shri T.R. Prasad, Chairman Visakhapatnam Port Trust, Visakhapatnam as the Chairman of the said Board.

[File No. LDV/6/82-US(L)]

THOMAS MATHEW, Under Secy.

## दिल्ली विकास प्राधिकरण

## सार्वजनिक सूचना

नई दिल्ली, 10 जुलाई, 1982

का. आ. 2483.—केन्द्रीय सरकार दिल्ली मुख्य योजना में निम्नलिखित संशोधन करने का विचार कर रही है, एतद्वारा जिन्हे सार्वजनिक सूचना हेतु प्रकाशित किया जाता है। इन प्रस्तावित संशोधनों के संबंध में जिस किसी व्यक्ति को कोई आपत्ति या सुझाव देना हो तो वे अपने आपत्ति या सुझाव इस सूचना के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली के पास लिखित रूप में भेज दें। जो व्यक्ति अपनी आपत्ति या सुझाव दे, वे अपना नाम एवं पूरा पता लिखें।

## संशोधन

- (1) "लगभग 21 043 हैक्टर, (52 एकड़) भूमि, जो वरेला टाऊन के समीप स्थित है और अमाला जाने



वाली रेलवे लाईन के पश्चिम में पड़ती है, का भूमि उपयोग "कृषि हरित पट्टी" से बदल कर "व्यवसायिक (गोदाम एवं भण्डारन डिपो)" किया जाना प्रस्तावित है।"

- (2) "लगभग 21.043 हेक्टा. (52 एकड़) भूमि, जो धंवर गांव के समीप स्थित है और रोहतक जाने वाली रेलवे लाईन के उत्तर में पड़ती है, का भूमि उपयोग "कृषि हरित पट्टी" से बदलकर "व्यवसायिक (गोदाम एवं भण्डारन डिपो)" किया जाना प्रस्तावित है।"

2. उक्त अधि के दौरान शनिवार को छोड़कर और सभी कार्यशील दिनों में दि. वि. प्रा. के कार्यालय, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली में प्रस्तावित संशोधनों के मानचित्र निरीक्षण के लिए उपलब्ध होंगे।

[संख्या एफ. 20(37)/80-एम. पी.]

नाथू राम, सचिव,  
दिल्ली विकास प्राधिकरण

#### DELHI DEVELOPMENT AUTHORITY PUBLIC NOTICE

New Delhi, the 10th July, 1982

**S.O. 2483**—The following modifications which the Central Government proposes to make to the Master Plan for Delhi are hereby published for public information. Any person having any objection or suggestion with respect to the proposed modifications may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi, within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and address :

#### MODIFICATION :

- (i) "The land use of an area measuring about 21.043 hectares. (52 acres) located near Narela Town and situated on the West of Railway lines to Ambala is proposed to be changed from 'Agricultural Green Belt' to 'Commercial' (Warehousing and storage depots)."
- (ii) "The land use of an area measuring about 21.043 hectares. (52 acres) located near Village Gheva and situated on the North of Railway Lines to Rohtak is proposed to be changed from 'Agricultural Green Belt' to 'Commercial' (Warehousing and storage depots)."

2. The plans indicating the proposed modifications will be available for inspection at the office of the Authority, Vikas Minar, Indraprastha Estate, New Delhi, on all working days except Saturday, within the period referred to above.

[No. F. 20(37)/80-MP]

NATHURAM, Secy.  
Delhi Development Authority

#### MINISTRY OF LABOUR

New Delhi, the 21st June, 1982

**S.O. 2484**.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen, which was received by the Central Government on the 14th June, 1982.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-19 of 1981

#### PARTIES :

Employers in relation to the Bombay Port Trust  
AND  
Their Workmen

#### APPEARANCES :

For the Employers—Mr. R. K. Shetty, Legal Adviser  
For the B.P.T. General,—Mr. P. V. Datar, Secretary  
Works' Union

INDUSTRY : Ports & Docks

STATE : Maharashtra

Bombay, dated the 29th day of May, 1982

#### AWARD

The Government of India, Ministry of Labour by order No. L-31012/8/81-D. IV(A) dated 26th October, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the Bombay Port Trust, Bombay, and their workmen in respect of the matters specified in the schedule mentioned below :—

#### SCHEDULE

"Whether the management of Bombay Port Trust, Bombay are justified in deducting a sum of Rs. 766.72 from the wages for the month of October and November, 1977 of Shri Shirodkar, Motor Mechanic, applying the theory of "no work, no Pay"? If not, to what relief is the concerned workman entitled?"

2. The facts giving rise to this Reference are briefly these. The workman Shirodkar, a Motor Mechanic was working on a Crane known as 'Orton Rail Crane'. Some diesel Orton Cranes were operating in the docks for cargo handling in the old days. This particular crane, it was found was not suitable for cargo handling operations in the docks; it was sent to the Bombay Port Trust Workshops in 1966 where it was used occasionally in connection with repairs to barges, etc. In 1972, during repairs to barges on Workshop Slipways, an urgent need was felt for the use of the orton crane. The present workman Shirodkar, a Motor Mechanic, was asked to operate this crane whenever required. According to the employer—Bombay Port Trust (for short B.P.T.) since the crane was operated only intermittently, no separate category of Crane Operator for this crane had been provided in the B.P.T. Workshops. The workman Shirodkar was required not only to operate this crane but also to attend to the maintenance of the crane also. The workman Shirodkar was put in charge of operating the crane and also to maintain it was given a fixed overtime allowance at the rate of 4 hours per day. The workman was operating and maintaining the crane from 1972 to 12th October 1977. He was getting overtime about 100 hours per month, while other Motor Mechanics of the same workshop were getting overtime about 50 hours per month on an average. It appears that this led to a complaint from another Union called the Bombay Port Trust Employees' Union. It alleged that exorbitant overtime was allowed to the workman Shirodkar. The management decided therefore to train a few Drivers (Steam Roller) for operating the diesel orton crane and post one of them on the this crane. It appears that on 12th October 1977 the management issued an order to Shirodkar informing him that he should stop operating the orton crane and report back for work in the Motorshop. This order was issued by the Superintending Engineer, Shri Apte. On 14th October, 1977, the Foreman, Motorshop asked Shirodkar to carry out certain repairs to this orton crane. According to the management, Shirodkar refused to do the work because he was stopped from operating crane. According to the management it was the duty of Shirodkar as a Motor Mechanic to do repairs and maintenance work on any crane, including the orton crane. Shirodkar persisted in his refusal to do any repairs work on the orton crane till 30th November, 1977. From 1st December, 1977, he agreed to do repairs/maintenance work on the orton crane. As Shirodkar did not obey the order of carrying out repairs to the orton crane his pay and allowance for 12 days in the month of October 1977 and 22 days in the month of November 1977 were deducted. The total amount deducted was Rs.

766.72 and that amount represented wages for the working-days during the period excluding Sundays, paid holidays and the days of earned leave. The actual deduction was made from the pay bills for the month of December 1977 and January 1978.

3. The dispute was raised by the B.P.T. General Workers' Union (hereinafter referred to as the "Union"). That dispute was admitted in conciliation. No settlement was arrived at and the conciliation proceedings ended in failure. The parties have filed the statement of claim and written statement respectively. The Union stated in the statement of claim that the employer viz. the B.P.T. has formulated terms and conditions of services which are known as "Bombay Port Trust Rules and Regulations for non-Scheduled Staff". These Rules and Regulations provide methods for taking disciplinary action for a mistake or a misconduct by an employee. Rule 22(1) deals with the cases for 'minor offences' and Rule 22(2) deals with the case for 'major offences'. No disciplinary action, according to the Union, including deduction of wages for any minor or major offences can be imposed on any employee by the employer without observing the requirements of the Rules. If any employee of the employer disobeys any lawful and reasonable order, action can only be taken against him under the provisions of Rule 22(1) or 22(2). It is not open to the employer to deny payment of wages under the so-called theory of 'no work' no pay'. The Union contended that it is not part of the normal duties of the Motor Mechanic to operate any crane. The workman Shirodkar was asked to operate the crane in 1972, though such work was not part of his duties as a Motor Mechanic. He was not paid anything for operating the crane. He was also not given a higher pay scale of pay, but he used to be paid 4 hours overtime wages per day. It was stated in the statement of claim that during the period from 1972 to 1977 Shirodkar not only operated the crane but also attended to all the maintenance work of the crane. In consideration of the work rendered by him the administration used to pay him overtime wages. Another Union raised objection and because of political pressure brought by the other Union Shirodkar was shifted from the crane back to the Motorshop.

4. It was, further, stated in the statement of claim that the employee who was posted to operate the crane on account of the pressure brought by the other Union, reported that the crane was not in working condition. Shirodkar was, thereafter again sent to the said crane. After proper and thorough inspection it was found by Shirodkar that there was nothing wrong in the mechanism of the crane. It was, further, stated :-

"But the new man could not operate the Crane and Shri Shirodkar was asked to go and operate the Crane. It was pointed out by Shri Shirodkar that there could not be two persons for operating one crane and his presence there for operating was not necessary. Shri Shirodkar had acted in good faith and in the interest of the employer. But, unfortunately because the employer wanted that the Crane should be operated by Shri Shirodkar and the other person should be paid the overtime therefore, pressure was brought on Shri Shirodkar to attend to the operation of the Crane. Shri Shirodkar expressed his willingness to operate the Crane as before provided the other employee was shifted elsewhere. The intention of Shri Shirodkar in making this suggestion was to avoid any conflict and paying two persons for the same job. Unfortunately, the employers because of the pressure continued to insist that Shri Shirodkar should be on the Crane."

It was submitted by the Union that Shirodkar had not failed to attend to any work. During the period under reference he had been marked present and on the basis of being present on duty he had been paid his wages for months of October and November. 'No work, no pay' theory was not only uncalled for, but totally illegal. The Union, therefore, prayed that the employer should be directed to pay back the amount which was deducted from the pay bills of December 1977 and January 1978.

5. The employer B.P.T. in its written statement filed on 15-4-1982 stated that since Shirodkar was operating and maintaining the crane he was allowed to put in overtime amount regularly. There was, however, no agreement to pay him 4 hours overtime per day. Shirodkar managed to get overtime of about 100 hours per month on an average somehow or the other. This led to a complaint from the B.P.T. Employees' Union on behalf of the other Motor Mechanics against the "exorbitant" overtime allowed to Shirodkar. With a view to remove the cause of grievance of the other Motor Mechanics, it was decided to train a few Drivers for operating the orton

crane and post one of them thereon. It was denied that the new person posted on the crane failed in his assignment as alleged by the Union. This crane went out of order often. The employer further stated in their written statement that on 14th October, 1977, the Foreman, Motorshop, asked Shirodkar to carry out certain repairs to the orton crane. Shirodkar, however, refused to do the work because he was not posted on that crane for operating it, as in the past, he was told by the Foreman, Motorshop that it was his duty as a Motor Mechanic to do repairs/maintenance on any crane, including orton crane. Still Shirodkar refused to do it, saying that he was prepared to do repairs/maintenance work of any vehicle, vessel or plant except the orton crane of the Workshops. He persisted in his refusal to do any repairs work on the orton crane till 30th November, 1977. From 1st December, 1977, he agreed to do repairs/maintenance work on the orton crane too.

6. The employers-B.P.T. further stated that disciplinary action could have been taken against Shirodkar after following the prescribed procedure of issuing chargesheet and holding a departmental enquiry. It did not, however, absolve the employee of his liability to loss of wages for the period of non-performance of work on the principle of 'no work no pay'. No show-cause notice before making any deduction from wages was necessary, as non-payment of wages for the period of non-performance of work was an implied condition of the contract of employment. It was added that the rules relied upon by the Union out of the Rules and Regulations for non-Scheduled Staff were no longer in force as they have been repealed by B.P.T. Employees' Regulations, 1976, with effect from 8-5-1976. It was also pointed out that the provisions of Rule 22 of the Rules and Regulations for non-Scheduled Staff and also the provisions of B.P.T. Employees' Regulations, 1976 were not applicable to a case of recovery/adjustment of wages of an employee for his refusal/failure to do his work as such recovery/adjustment was not a penalty. Though an action could have been taken against the workman under Rule 22(2) of the Rules and Regulations for Non-Scheduled Staff, in the present case they did not choose to institute departmental proceedings. The workman by refusing to carry out the repair to the orton crane failed to perform his contract of employment and earn the wages therefrom. It was contended that if an employee disobeys any lawful or reasonable order, he incurs two liabilities, (i) disciplinary action and (ii) loss of wages. These two liabilities are not alternative but supplementary and complementary to each other. The employer had a right to enforce either or both of them. It was the normal duty of the workman Shirodkar to repair the orton crane. A reference was made in the written statement to a letter dated 4th October 1978, from the Union and it was stated that the Union had admitted in that letter that Shirodkar was not willing to do work on the said crane. The contention of the Union that Shirodkar was asked to operate the crane was denied. It was stated that he was only asked to carry out the necessary repairs to the crane and not to operate it. Although Shirodkar was marked present, he should be deemed to have been absent in view of his refusal to do the work assigned to him. Having regard to the terms of explanation below Section 9 of the Payment of Wages Act, 1936, it was submitted that the deductions made from the wages of Shirodkar were justified.

7. In addition to the documentary evidence adduced by the parties, the employer examined Mr. Satya Bhushan Siri Chand Jolly, Superintendent, Motorshop. The Union examined the workman Shirodkar and one Patric Dias, who was working in B.P.T. first as Chageman of the Boiler-shop from 1972 and as Loadingman of the Boiler-shop for one year from 1976. He retired from B.P.T. service in July 1977. It appears that he is an active member of the Union.

8. It is not disputed that the workman Shirodkar was working on this orton crane from 1972. He was operating the crane and also he was maintaining it. He was attending to all maintenance work of the crane. This is admitted in the statement of claim. Witness No. 2 for the workman Mr. Patric Dias also admitted in his cross-examination that prior to October 1977 Shirodkar was carrying on all types of repairs on the orton crane. He admitted that Shirodkar was attending to the repairs of engine. He was, however, not attending to repairs in connection with the electrical equipment. It appears from the deposition of Mr. Dias that sometime before 1972 there was a talk of scrapping this



orton crane. Mr. Dias then suggested to the Chief Mechanical Engineer that Shirodkar, who was an ex-serviceman and an experienced man should be put in-charge of the crane as he was able to operate and maintain it. Mr. Dias says that he had suggested to the management some higher scale of pay to be given to Shirodkar. His suggestion for higher scale of pay was, however, not accepted. But, the management said that 4 hours overtime could be given to Shirodkar as he was doing both types of work viz. operation and maintenance. Shirodkar, as stated in the written statement of the employer-B.P.T., used to get overtime about 100 hours per month on an average. The other Motor Mechanics of the same Workshop were getting overtime of about 50 hours per month on an average. This led to a complaint from the rival Union and it appears that ultimately on 12-10-1977 the management issued an order that Shirodkar would stop operating the orton crane and report back for work to the Motorshop. However, on 14th October, 1977, the Foreman, of the Motorshop asked Shirodkar to carry out certain repairs to the orton crane. According to the management, Shirodkar was not asked to go and operate the orton crane. He was only asked to carry out certain repairs. Even though the Union in its statement of claim pleaded that Shirodkar was asked to go and operate the crane Shirodkar did not state in his deposition that he was asked to operate the crane. He stated in his examination-in-chief that on 14-10-1977 Mr. Jolly had asked him to repair the orton crane. He added that he did not do the work as there was no any work of a Mechanic to be done. According to the workman, the work that was involved was of Roller Department and that was not his work.

9. Now, Mr. Jolly in his affidavit has listed the duties of a Motor Mechanic. Shirodkar was a Motor Mechanic. The duties listed by him are :—

“Outdoor : To maintain, repair and overhaul I.C. Engine vessels, vehicles, compressors, welding plants, automotive plants and machinery etc. to use precision measuring instruments, tools and allied equipments for testing/overhauling of I.C. Engine.”

Mr. Jolly added in his affidavit that the aforesaid duties of a Motor Mechanic include the repairs and maintenance of diesel crane. When Mr. Jolly was asked in his cross-examination by this Tribunal, under what item of the out-door duties of the Motor Mechanic the work of repairs of orton crane would fall, he stated that the orton crane could be described as a machinery. On behalf of the Union an extract from B.P.T. from 'C' has been produced. At serial No. 104 the duties of a Driver Mechanic (Mobile Crane and Food Grain) are mentioned. These duties are :—

“To carry out maintenance and overhauls of all mobile vehicles, tractors, forklifts and the knowledge to drive them. To operate all tools concerned with the repairs and maintenance of vehicles. Also to operate, maintain, and overhaul food grain discharging machines when working in Food Grains Sections.”

10. Now, it would appear from the deposition of Mr. Dias that after 1968 this orton crane was transferred to Boiler-shop of the B.P.T. Workshop. It appears from the deposition of Shirodkar that before 1972 Mobile Crane Section attended to the operations, maintenance and repairs of the orton crane. However, as stated in the statement of claim and as stated by Mr. Dias in his deposition, after 1972 Shirodkar started operating and maintaining it. Mr. Jolly stated that Driver Mechanic is not a category working or attached to B.P.T. Motorshop. According to him, the Motor Mechanic and Fitters are supposed to carry out the maintenance work and repairs to the orton crane. Now, according to the evidence of Mr. Dias, after 1968 this orton crane was transferred to the Boiler-shop of the B.P.T. workshop. The workman Shirodkar was stopped from operating the orton crane from 12th October, 1977, and was asked to report back for the work to the Motorshop. It appears from the evidence of Mr. Dias that before Shirodkar was put in-charge of operation and maintenance of this orton crane in 1972 Mobile Crane Section was attending to the repairs on the orton crane. However, from 1972 Shirodkar was attending to both the work of operation and repairs. In fact Mr. Dias stated

“Prior to October 1977 Shirodkar was carrying on all types of repairs on orton crane.”

As pointed out above Mr. Jolly in his deposition stated that carrying out repairs to the orton crane was a normal duty of Shirodkar. Shirodkar was working in the B.P.T. Motorshop. Mr. Jolly stated that Driver Mechanic is not a category working or attached to the B.P.T. workshop. It is clear from the deposition of Mr. Dias and also the admission of the Union in the statement of claim that Driver Mechanic was not attending to the repairs and maintenance after Shirodkar was put in-charge of this crane in 1972. Admittedly, Mr. Jolly was a superior Officer of Shirodkar. Even though Shirodkar was removed from the job of operating the orton crane from 12th October, 1977, he should not have refused to carry out the repairs to the crane if he was so ordered by his superiors.

11. It appears that because Shirodkar was deprived of 4 hours overtime work per day on an average he was aggrieved. He, therefore, refused to carry out the repairs to the crane. Mr. Jolly stated that Shirodkar was asked to carry out the repairs to the orton crane along with the Fitters and to put it in commission. On the material on record, it can be said that to carry out repairs to the orton crane was one of the duties of a Motor Mechanic. Shirodkar was a Motor Mechanic. Even if it is assumed that this was not a normal duty of a Motor Mechanic Shirodkar should not have refused to carry out the repairs to the orton crane when he was ordered to do so by his superiors. Shirodkar wanted to say that there was some trouble in the gear-box. This according to him was not the work of a Mechanic. The work that was involved was of Roller Department. However, it is amply clear from the material on record that Shirodkar was attending to all sort of repairs and maintenance of this crane after 1972. In fact, he attended to the repairs from 1-12-1977. When he saw that his superiors were not giving him any work and he ran the risk of some proceedings being started against him he agreed to carry out repairs/maintenance on the orton crane from 1-2-1977. It, therefore, appears that the work of repairs which was involved was not such as could not be done by Shirodkar. Refusal of Shirodkar therefore to do the work was unjustified.

12. The next question is whether the management was justified in deducting the wages of Shirodkar. It is not in dispute that from 14-10-1977 till 30-11-1977 Shirodkar did not carry out the work of repairs. As he refused to carry out the work of repairs to the orton crane as ordered by his superiors the latter did not allot to him any other duties also. The Chief Mechanical Engineer, B.P.T. passed orders to treat the case of Shirodkar as one of 'no work no pay'. Accordingly, 12 days wages for the month of October 1977 amounting to Rs. 264.89 and 22 days wages for the month of November 1977 amounting to Rs. 501.83 were recovered from the pay bills of December 1977 and January 1978, after the said order was passed by the Chief Mechanical Engineer, B.P.T.

13. For the purpose of the deductions the employer B.P.T. relies upon the provisions in Section 7(2)(b) read with explanation to Section 9(2) in the Payment of Wages Act, 1936. Section 7(2) provides that the deductions from the wages of an employed person shall be made only in accordance with the provisions of the Act and may be of the kinds only specified in that Section. Deductions from absence from duty is provided in sub-clause (b) of Section 7(2). The explanation to Section 9 provides :—

“For the purposes of this section, an employed person shall be deemed to be absent from the place where he is required to work if, although present in such place he refuses, in pursuance of a stay-strike or for any other cause which is not reasonable in the circumstances, to carry out his work.”

Relying upon these provisions it is submitted that even though the workman Shirodkar was present at the place where he was required to do work, as he did not work he should be deemed to be absent from the place of work. Mr. Jolly stated in his deposition that no other work was given to Shirodkar as that would have led to indiscipline. This explanation given by Mr. Jolly cannot be ruled out, as being unreasonable.

14. Mr. Datar who argued the case for the Union submitted that the workman Shirodkar was getting wages, average Rs. 1000 month or more at the material time. The management, therefore, could not resort to the provisions in the Payment of Wages Act, for affecting the deductions from the wages of the workman. This contention, in my view, is not open to the Union. It may be noted that in various paragraphs of the written statement the employer-B.P.T. has placed reliance upon the provisions in the Payment of Wages Act, and in particular in clause (b) of sub-section (2) of Section 7 read with explanation to Section 7(2) of that Act. The Union has not pleaded either in the original statement of claim or by filing a rejoinder that the wages of the workman were more than Rs. 1000, and that, therefore, the provisions in the Payment of Wages Act, did not apply. Apart from this, Mr. Shetty for the employer-B.P.T. submitted that even if the provisions in the Payment of Wages Act were not to apply to this case, the workman will not be entitled under general principles of common law to any wages when he did not put in work on particular dates. I think that submission is not without force.

15. Now, in this case even though a contention was raised in the statement of claim that the workman was asked to operate the crane, that case is given up at the time of hearing. Shirodkar in his deposition before this Tribunal has not stated that he was asked to operate the crane. What he has stated is that he was asked to repair the crane. His explanation is that he did not do the work as there was no any work of a Mechanic to be done. According to him, there was some defect in the gear-box and it was not his duty to attend to gear-box repairs. As pointed out above Mr. Jolly for the employer stated in his deposition that the Motor Mechanics and Fitters are supposed to carry out maintenance work and repairs to the diesel orton crane. Mr. Jolly stated that orton crane can be described as a machinery and repairs to the machinery is a part of the duty of a Motor Mechanic. I do not accept the contention of the Union that the repairs to the orton crane was not a part of his duty of the workman. Shirodkar was a Motor Mechanic. Admittedly, he was attending to all sort of repairs to this orton crane from 1972 till 12th October 1977. When on account of complaint from a rival Union he was stopped from operating the crane. Shirodkar was obviously aggrieved at the fact that he was deprived of substantial overtime wages that he was earning when he was operating and maintaining the orton crane. It was on account of that reason that he must have refused to attend to the repairs. It is true that some other work could have been given to him on the dates when he refused to do the work of repairs to the crane. When this Tribunal asked Mr. Jolly why no other work was given to Shirodkar his answer was that this would have led to indiscipline. I think there is much substance in this explanation given by Mr. Jolly for not giving other work to the workman. Section 9(2) of the Payment of Wages Act provides that an employed person shall be deemed to be absent from the place where he is required to work if although present in such place, he refuses in pursuance of a stay-in-strike or for any other cause which is not reasonable in the circumstances, to carry out his work. It was, in my view, not proper on the part of the workman to refuse to carry out the work which he was asked to do. His superior considered it as an act of insubordination and refused to give him any other work also. Deduction of wages for failure to perform the work was therefore justifiable. Twelve days wages for the month of October 1977 and 22 days wages for the month of November 1977 were deducted. The question is whether the deduction for this whole period is justified.

16. I am inclined to take a view that the deduction of wages for the 12 days in the month of October 1977 would have been proper and justified. Admittedly, everyday the workman was coming to the place of work. Merely because he refused to do the work assigned to him I think the employer-B.P.T. was not justified in adopting the attitude of deducting the wages for an indefinite period. The workman, it appears, saw reason and agreed to carry out the work of repairs to the crane from 1-12-1977. No fault, in my view, can be found with the management if it resorted to the deduction of wages for a reasonable period. If the workman could not be persuaded thereafter to do the work assigned to him, the proper course would have been to start some disciplinary proceeding against him permissible under the Rules and Regulations and if necessary put him under

suspension in contemplation of or during the pendency of the disciplinary proceedings. Part IV of the Regulations, 1976, makes provisions for suspension, where disciplinary proceedings against a workman is contemplated or is pending.

17. I think that the action of the management in deducting the wages of the workman for unreasonably long time without resorting to a disciplinary proceedings was not proper and justified. I, therefore, find that the deductions of 22 days wages for the month of November, 1977, in the circumstances of the case was not justified. An amount of Rs. 264.89 has been deducted from the wages of the workman for 12 working-days in the month of October 1977 during which period he refused to do the work assigned to him and the management did not give him any other work also, in the interest of discipline. I find the deduction for that period only is justified. I do not find that the deduction for further period i.e. for 22 working-days in the month of November 1977 is justifiable. The amount deducted for 22 days in the month of November 1977 comes to Rs. 501.83. That deduction, in my view, is not justifiable. Reference is thus partly allowed.

18 My Award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer

[No. L-31012/8/81-D. IV(A)]

New Delhi, the 30th June, 1982

**S.O. 2485.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay and their workman, which was received by the Central Government on the 18th June, 1982.

BEFORE SHRI F. H. LALA, ARBITRATOR UNDER

Section 10A of the I.D. Act, 1947

Voluntary Reference

BETWEEN

The Bombay Port Trust

AND

The workmen represented by the B.P.T. General Workers' Union.

Re : The Industrial dispute about the grant of higher scales of pay to the First Class Engine Drivers employed on Dock tugs and harbour tugs.

APPEARANCES :

Shri M. N. Bhatkal, Advocate—for the Bombay Port Trust.

Dr. S. Maitra, General Secretary, B.P.T. General Workers' Union—for the Workmen.

AWARD

This reference arises out of the agreement entered into between the Chief Personnel and Industrial Relations Manager, Bombay Port Trust, and Dr. S. Maitra, General Secretary, B.P.T. General Workers' Union, Bombay, which was received by the Government of India, Ministry of Labour, on the 12th May, 1981. After the necessary publication of the agreement the Government of India by its order dated 28th May, 1981 referred the matter to me for arbitration of the dispute under Section 10A of the I.D. Act, 1947.

2. The dispute referred to me comprises of the following two demands. (1) Whether demand of the Union for grant of higher scale of pay to the First Class Engine Drivers employed on Deck tugs having engines of more than 40 N.H.P. but less than 100 N.H.P. and are in independent



charge is justified (2) Whether demand of the Union for grant of higher scale of pay to the First Class Engine Drivers employed on harbour tugs having engines of 100 N.H.P. and above, treating them as in independent charge of the engine room of the vessel even when there is a Marine Engineer on board the vessel is justified.

3. On receipt of the said reference on 1st June 1981, I issued notice in Form VII to B.P.T. General Workers' Union to file its statement of claim and a general notice in Form VIII addressed to workers not desiring to be represented by the Union to file their statement of claim and the notice to the employer Bombay Port Trust in Form IX to file its written statement, on 1st of June 1981. The B.P.T. General Workers' Union file its statement of claim with annexures dated 10th September, 1981 and the Bombay Port Trust filed a written statement with annexures 1 dated 21st November, 1981. Shri D. Y. Kelkar, representing the Transport and Dock Workers' Union, asked for a copy of the Union's statement of claim by his letter dated 7th August, 1981 and it was supplied to him. Later on, however, Shri S. R. Kulkarni, Secretary of Transport and Dock Workers' Union, by his letter of 27th November, 1981 indicated to me his inability to be a party to the dispute for certain reasons.

4. The demands of the Union arising for my determination are two. It has demanded a higher scale of pay to the First Class Engine Drivers employed on Dock Tugs having engines of more than 40 N.H.P. but less than 100 N.H.P. and who are in independence charge. It has also demanded a higher scale of pay to the First Class Engine Drivers employed on harbour tugs having engines of 100 N.H.P. and above by treating them as in independent charge of the engine room of the vessel even when there is a Marine Engineer on board the vessel.

5. The B.P.T. General Workers' Union representing the engine drivers raised the following contentions. The scales of pay of Motor Engine Drivers or Steam Engine Drivers had never been fixed with reference to the horse power of the engine and the Government of India appointed Committee for the classification and categorisation of Class III and Class IV employees of Major Ports under Resolution No. 23-PLA (91)/58 dated 23rd August, 1959. The recommendations of the above Committee were to aim at bringing about as large a measure of uniformity as possible in the pay scales for posts of the same category in all the Major Ports when the duties were the same on the principle of equal pay for equal work. The Committee dealt with Shore and Flotilla Crew in Para 36 of the report but it did not deal with any other category except Lascars and in dealing with the Lascars alone the Committee took into consideration the engine horse power of the craft. In pursuance of the recommendations in Para 25 of Chapter XXVII of the Second Five Year Plan and Para 20 of Chapter XV of the Third Five Year Plan the Government set up by its Resolution of 13th November, 1964 a Wage Board to work out a wage structure of Port and Dock Workers of the Major Ports.

6. The Wage Board submitted its final report to Government on 29th November, 1969 and its recommendations were to remain in operation for a period of five years. The Government, therefore, by their resolution of 11th December, 1974 set up a "Wage Revision Committee" to enquire into and recommend as to what revision is necessary in the existing wage structure of the employees other than Class I and Class II Officers in Major Ports. The Wage Revision Committee was not called upon to take into consideration the engine horse power of any vessel to decide the scales of pay of Engine Drivers First Class or Engine Drivers First Class holding licence. At pages 170 and 171 of its report the Wage Revision Committee dealt with engine drivers of the Flotilla holding Second Class and First Class Certificates as also licence and in deciding the scales of pay of these three categories the Committee did not take into consideration the engine horse power of the vessel. The Marine Engineer, according to Justice K. T. Desai, is required to personally supervise the repairs and overhaul of the entire machinery under his charge with the assistance of the workshop. According to Shri Justice K. T. Desai, the Marine Engineer did not claim that when the vessel was in operation he was required to act in charge of the engine room including boiler room.

7. The scale of pay of drivers cannot be on the basis of the horse power of the engine. The drivers have to attend the minor break-downs and do the maintenance job and in case

of any major break-down he has to work along with the workshop staff for bringing the engine back to working condition. The Dock tugs while in operation have to be looked after and operated by the driver First Grade who has to remain on the Bridge for the purpose of operating the remote control. Thus the First Class Driver when on the grounds control has to take full charge of the engine room even from the Bridge. The Drivers holding First Class competency certificate and working in charge on the tugs should, therefore, be placed in the scale of Rs. 750—1150 with effect from 1-1-1974. Even the engine drivers of all vessels having Marine Engineers are actually in charge of the engine room and, therefore, the Government of India in the discussions of 17th and 18th April, 1979 agreed that the scale of Rs. 900—1200 should be given to the Licensed Drivers/Engineers Incharge/Junior Engineers holding First Class Certificate if they are in independent charge of the engine room. The Engine Drivers are incorrectly designated by the Bombay Port Trust as Engine Drivers though they are actually engineers as provided under the Inland Vessels Act, 1917.

8. The Bombay Port Trust by its written statement raised the following contentions. The first demand of the Union for grant of higher scale of (first class) pay to the First Class Engine Driver on Dock tugs of engines between 40 N.H.P. and 100 N.H.P. on the ground that they are in independent charge of the said tugs is bad and no longer open for arbitration since their scale had already been settled by the settlement dated 14th July, 1977 and again by the settlement dated 4th January, 1981. The demand of the Union for higher pay scale to the First Class Engine Drivers on harbour tugs of engines of 100 N.H.P. and over is also bad as the demand is also covered by the settlement of 14th July, 1977 and subsequently by the Governments Orders dated 21-6-1979 and 20-9-1979 issued in consultation with four Federations of Dock and Port Workers. The demand relating to the retrospective effect for the above pay scales from 1-1-1974 is also untenable. The Wage Board appointed on 13th November, 1964 has fixed a wage structure for the Dock and Port workers in Major Ports in India and the recommendations were accepted by the parties and were in force for five years. Again the Government of India appointed by a resolution of 11th December, 1974 a Wage Revision Committee to enquire into and recommend necessary revision in the existing wages of the employees. The Wage Revision Committee fixed wage revisions in respect of all Class III and Class IV categories of employees in the employ of Bombay Port Trust in January 1977. The said revisions were accepted by the parties by the settlement signed by all the parties on 14-7-1977. The Government, however, set up a Committee known as Anomaly Group in 1979 to consider anomalies or discrepancies arising out of the implementation of the said settlement. As per the recommendations of the said Anomaly Group and considering the representations of the four Federations of the Port and Dock Workers' Unions and after holding discussions with them the Government of India issue a notification of 21st June 1979 and made a scale of Rs. 900—1200 available to the Licensed Drivers/Engineers in Charge/Junior Engineers/Engine Drivers holding First Class Certificates or their equivalents and who are in independent charge of the engine room of a vessel of 100 B.H.P. and above or its equivalent in I.H.P. of system vessels. The Government of India by its notification of 20th September, 1979 provided that licensed drivers and Engine Drivers holding First Class Certificate and who are in independent charge of the engine room of the vessels of over 565 B.H.P. upto 999 B.H.P. should be allowed a scale of Rs. 750—1100 with effect from 1-1-1974. These notifications were issued as in certain ports in India the Drivers holding First Class Certificates were required to work as an independent in charge of the engine room having regard to the relative provisions of the Harbour Craft Rules applicable to such ports. These Rules are not applicable to the Bombay Port which is governed by the provisions of the Inland Vessels Act 1917 (1917) (Vide Sections 25 to 27).

9. As per the provisions of the Inland Vessels Act, a Marine Engineer (M.O.T.) is always posted on all vessels having engines of 100 N.H.P. and above. The responsibility of such a Marine Engineer is more than that of a Engine Driver Grade I. The Grade I Engine Driver takes instructions from the Marine Engineer and he works under his supervision and control and he, therefore, cannot be con-



sidered to be in independent charge of the engine room. Such a Engine Driver is, therefore, not eligible to be placed in the scale of Rs. 900—1200 or Rs. 750—1100 allowed under the Government notifications dated 21st June, 1979 and 20th September 1979, respectively. The Union's demand for higher pay scales for First Class Engine Drivers on Dock tugs of less than 100 N.H.P. engines is inconsistent with its former demand of such a pay scale for Engine Drivers on vessels having engines of 100 N.H.P. and above. It was, therefore, not open for the Union to make such a new demand.

10. The scales of pay of Motor Engine Driver and Steam Engine Drivers have never been fixed by taking into consideration the horse power of the engine. The categorisation Committee, the Wage Board and the Wage Revision Committee have taken into consideration all the relevant factors including the horse power of the engine while fixing the pay scales of Engine Drivers and others working in the Major Ports in India. The Union's contention that even when there is a Marine Engineer on the vessel the Engine Driver, Grade I, should be deemed to be in independent charge of the engine room is untenable and cannot be accepted. The term Engineer used in the Inland Vessels Act is not for persons possessing different certificates of competency. The Act does not stipulate that such a person should necessarily be designated as Engineer. The certificate of competency issued to a person on passing the examination held by a Mercantile Marine Department is as a First Class Engine Driver and not as Engineer.

11. The Union filed before me the affidavits of Shri Rattan F. Todywalla, Driver Grade I, Shri Abdul Majid Mukadam, Driver Grade I, Shri Vinayak S. Gharat, a Motor Mechanic for about 8 years and Shri Vasant M. Sawant, a Motor Mechanic for about 18 years. The Bombay Port Trust filed affidavits of its witnesses, Shri Jehangir Sohabji, Marine Engineer on harbour tug M.T. Arvind, Shri G. V. Khare, Administrative Officer, Deputy Conservator's Office, and Shri R. K. Khattar, Superintending Engineer (Mechanical). The Union's witnesses were examined before me and then cross-examined by Shri M. N. Bhatkal, Advocate for the Bombay Port Trust. The Port Trust witnesses were examined before me and then cross-examined by Dr. S. Maitra, representing the Union.

12. The present dispute relates to the pay scales of Engine Drivers possessing an Engineer's certificate under the Inland Vessels Act, 1917. Admittedly the Dock tugs are about 13, some of which are diesel powered and others steam powered having engines of power between 525—320 and there are 5 harbour tugs, which are diesel engine powered and have B.H.P. of 1200 to 1400 and steam engine powered three tugs having B.H.P. of 900 to 1200. There are of course at Madras vessels of engines of higher horse power viz. 1350 B.H.P., 1650 B.H.P., 1650 BHP and 300 BHP and two more of 675 B.H.P. each and three more of 290 BHP, 290 BHP and 380 BHP as stated in the affidavit of Shri R. K. Khattar. Under Section 25 of the Inland Vessels Act, 1917 an inland mechanically propelled vessel having engine of 100 or more N.H.P. shall not proceed on any voyage unless she has an engineer a person possessing an Engineer's certificate granted under the said Act. We are here concerned particularly with Sections 25, 26 and 27 of the Act. Under Section 26 vessel having engine of 40 or more nominal Horse Power but less than 100 Nominal Horse Power shall not proceed on any voyage unless she has an Engineer a person possessing a First Class Engine Driver's certificate granted under this Act. Sec. 25(b) of the Act requires that the mechanically propelled vessels having engines of over 100 Nominal Horse Power must have an Engineer possessing an Engineer's certificate. Sec. 27 of the Act requires that the vessels having engines of less than 40 N.H.P. must have as an Engineer a person possessing a Second Class Driver's certificate. This makes it clear that in law the personnel looking after the engine room and the engines has to be of certain competence and qualifications as provided for in the Inland Vessels Act, 1917.

13. The wage structure of the personnel of the Bombay Port Trust including the Engine Drivers etc. came in for consideration in the final report of the Central Wage Board of 29th November, 1969. The Wage Board was chaired by Shri. I. P. Dave as per the Government of India notification

of 13th November, 1964. Later on the Wage Board considered the various scales of pay fixed by the Committee for the classification and categorisation of Class III and Class IV employees of major ports which was appointed by the Government of India by its resolution dated 23rd August 1958 and which was presided over by Shri F. Jeejeebhoy. At page 56 of the F J/Committee's report 28-5-61 : Sr. Nos. 520 and 521 the scales of Engine Drivers, Grade I, have been slightly altered by that Committee but later on the Wage Board's scales also were settled by the Government of India after discussions with the Federations of Port and Dock Workers, on implementation of report of Wage Revision Committee, Ex. M-6, which contains an excerpt of the proceedings of a meeting of the Trustees of the Port of Bombay held on 26th July, 1977. By this settlement of 14-7-1977 the Engine Drivers, Grade I, mentioned at S. Nos. 126 and 127 at page 21, who were in the Wage Board scale of Rs. 280—354 were given a scale of Rs. 575—84 as a result of the Wage Revision Committee's recommendations. It is useful further to note that after the expiry of the said settlement of 14th July 1977 there were discussion between representatives of the Government of India, in the Ministry of Shipping and Transport, and the representative of the several Federations of the Port and Dock Workers on a common charter of demands. As a result, the term and conditions of employment and the wage structure of Class III and Class IV Port and Dock employees at all the major ports were revised. As a result of the revision the scale of Rs. 575—844 appearing at page 136, (Annexure 1 to the settlement), has been fixed at Rs. 575—953 and the scale of Rs. 750—1114 appearing at Cl. No. 20 has been revised to be Rs. 750—1251. This revision is the result of the settlement of 4th January 1981 which has been approved by the Trust Resolution No. 20 of 13th January 1981.

14. The contention of Dr. S. Maitra was, that the Engine Drivers Grade I on Dock tugs and those on the Harbour tugs upto 100 N. H. P. and above do the same type of work. His contention was, that at Madras engine Drivers on Venkat Nani, Palani and Amravathy and also on Plai and Penna get scales higher than those payable in B.P.T. This is apparent no doubt from Shri Khattar's affidavit which also shows that they are in independent charge and are given the highest scales by Government Orders of June and September, 1979. He also relied on the principle that equal pay should be given for equal work and said that the pay scales of the so-called Engine Drivers, who are really Engineers, should be revised and upgraded. He referred me to the evidence of Shri R. F. Todywalla to the effect, that during his employment as Grade I Driver for a month about five or six years ago he never found the Engineer coming down to the engine room. He urged on the basis of this that it is the engine Driver, who is really in charge of the engine room of the Harbour tug, and, therefore, he should be given the same pay as that of in charge engineer. It is useful to note that the said witness had to admit that the Engineer went down to the engine room, examined and inspected the tank, which had a defect, and thereafter with the help of the mechanics of the Bombay Port Trust Workshops to tank was repaired. Shri Abdul Mapid, a witness of the Union, also said that he never found the engineer coming down to the engine room and doing any work and that the motor mechanics are invariably called at his instance to set right the defect in the engine. His evidence, however, makes it clear that the engineer has to be told about the defects, if any, in the engine room and thereafter the engineer requisitions workshop services for removing the defects on the vessel and it is the engineer who has to be satisfied about the repairs. His evidence also shows that the M. M. B. Surveyor inspecting the tug after its annual overhauling is accompanied by the engineer to the engine room. The witness Vinayak Sadanand Gharat, states that he has never seen the Marine Engineer attention to any repair work. But he had to admit that it is really the engineer, who has to endorse his labour ticket taken by him from the workshop after he is satisfied about the repairs. That is what also Ramesh Vasant Sawant, witness for the Union, had to admit in his cross-examination when he said that for substituting a damaged part the Marine Engineer has to be consulted and then the part has to be repaired.

15. The Bombay Port Trust witness, Shri Jehangir Sohabji, who is a Marine Engineer in the B. P. T. since 1964 and who is permanently posted on the harbour tug vessel, M. T. Arvind, stated that he is responsible for the efficient opera-

tion and maintenance of the vessel with a view to prevent break-down and accidents. His evidence further shows that he has to make indents on the Controller of Stores for all consumable stores such as fuel, lubricating oils, hardwares, etc. To similar effect is the evidence of Shri G. V. Khare who says that the Marine Engineer on the vessels is alone in independent charge of the engine room and crew of the vessel. The evidence of Khare shows that on all Dock tugs Drivers, Grade I, are in-charge of the main engine of the motor vessel and according to him a person is said to be in-charge when he maintains discipline amongst his co-workers. The Union representative invited my attention to the evidence of Shri R. K. Khattar which is to the effect, that there is no difference in the nature of duties and responsibilities of a driver working on a vessel of 565 B. H. P. or less and a driver of a vessel of B. H. P., and over. But it has to be noted that the evidence of Shri Khattar shows that the Marine Engineers are physically present on the harbour tugs during the entire period of their duty.

16. Dr. Maitra representing the Union referred me to Shri Khattar's evidence and strenuously argued that at Madras six vessels mentioned in Annexure I of the affidavit of Shri Khattar having H.P. between 675 B.H.P. and 3000 B.H.P., are operated by drivers, First Class, and at Madras the Marine Engineers are shore based. Admittedly, according to Shri Khattar, when the engine driver is in charge of the engine room the room the engineer is not there. Shri Khattar voluntarily added that sometimes the engineer is present in the engine room. His evidence shows that his say regarding the presence of the engineer in the engine room at times is not based on his Khattar, when the engine driver is in charge of the engine witnesses. It is, that the Marine Engineer guides and supervises the engine driver during the annual overhaul and operations of the vessels and he is as volunteered by Shri Khattar, the Marine Engineer goes away for some other official work after giving the instructions and guidance. But all this evidence cannot lead to the conclusion, that the Engine Drivers of vessels or harbour tugs having Marine Engineers are in independent charge of the engine room.

17. Dr. Maitra pointed out that there were a large number of anomalies obtaining in the existing scales even after the recommendations of the Wage Board which were implemented with effect from 1st January 1969. He said that the Government of India, therefore, set up the Wage Revision Committee in December, 1974 to enquire into and recommend as to what revision is necessary in the existing wage structure of the employees other than Class I and Class II Officers in Major Ports of Bombay, Calcutta, Madras, Visakhapatnam, Cochin, Marmugao, Kandla and Paradip. The Wage Revision Committee was composed of three members including Shri B. N. Lokur, Retired Judge of Allahabad High Court, New Delhi. The Committee was to enquire into and recommend as to what revision was necessary in the existing wage structure of the employees of Class I and Class II in Bombay and other ports. The resolution setting up the categorisation committee of 1958 provided that the recommendations of that Committee shall be binding on the Port Authorities as well as the labour. Yet soon after the implementation of the report of the Committee the Unions alleged that several anomalies were found in the existing scales and they raised disputes. The two-man Anomalies Committee was set up by Government and the anomalies of several categories of workmen in Bombay including that of Engine Drivers, Grade I and other ports were examined, considered and set right. The Committee corrected the anomalies amounting to irregularities in the context of the classification and categorisation committee and Wage Board deliberations. The Committee for Wage Revision recommended that the Engine Drivers, (Marine), by whatever designation called, (both steam and diesel) holding certificates of competency under the Inland Steam Vessels Act, 1917, or their equivalents, be brought over to the scales as below, (Vide Pages 164 to 171, W.R.C. Report). The Engine Drivers holding First Class certificates or their equivalents in the existing scales of Rs. 214—280, Rs. 214—320, Rs. 246—320, Rs. 246—354, Rs. 246—366, and Rs. 250—415 should be put in the scale of Rs. 575-15-680-EB-20-840 and licensed drivers or engineer in-charge in the existing scales of Rs. 290—475, Rs. 340—510 and Rs. 375—515 be placed in the scale of Rs. 750-25-950-EB-25-1100. It is thus clear that even the Anomalies Group has not thought the

present demand to be proper. In this reference I have not been asked to examine the scales anomaly, if any, and to remove it. It is, therefore, futile to contend before me that there are anomalies in the scales because the Engine Drivers doing the same sort of work are not getting equal pay for the same. The agreement of 4th January 1981 is still in force and as contended by Shri Bhaskar for the Bombay Port Trust the demands are not tenable in view of the said agreement which is still in force. I find that the present pay scale is 575-19-589-24-953.

18. It is true that at Madras the engine drivers run and operate the tugs in absence of the Marine engineers who are shore-based. But the Port of Madras and its personnel on the harbour craft are governed by the Madras Port, (Harbour Craft), Rules of 1980 framed under Section 6 of the Indian Ports Act, 1908. These rules only apply to the Madras Port and the craft plying that port and, therefore, only because the Madras Port engine drivers are in actual charge of the engine rooms which may be or may not be against the rules but apparently is against the provisions of Indian Vessels Act does not help the Union to justify its demands.

19. Dr. Maitra further stated that there was nothing in the Act or anywhere to link the pay scales with the horsepower of the engine of a vessel. In my opinion, while considering and deciding upon the pay scales and wage structure all the circumstances including job evaluation, job description, peculiarities of the post and the nature of functions and other things have been taken into consideration. The decision of the Supreme Court in the case between Randhirsingh and others and the Union of India and others dated February 22, 1982, reported in Indian Factories and Labour Reports of 1982 Vol. 44, Page 299, was relied upon for the Union to show that the principle of "equal pay for equal work" has to be followed while fixing the scales of pay of Grade I, Engine Drivers. In that case the petitioner, (Randhirsingh), was a driver constable in the Delhi Police Force and he demanded that his scale of pay should almost be the same as the scale of pay of the other drivers in the service of the Delhi Administration as he discharged the same duties as the other drivers, if not more onerous duties. In that case the other drivers belonged to different department of the government and, therefore, the Government contended that the said driver was not entitled to the same scale of pay. But the Supreme Court directed the Government to fix the scale of pay of the petitioner and the driver constables of the Delhi Police Force at least on par with that of the drivers of the Railway Protection Force. Thus equal pay for equal work is not a mere slogan but a principle of law to be followed in appropriate cases. In this case, however, the pay scales of Engine Drivers, Grade I, have been fixed by mutual agreement and settlement of 4th January, 1981 which is still in force. Nothing is shown why the said settlement, which is still binding on the workmen, should be given a go-bye and why the scales agreed to by the parties should be revised before the expiry of the period of settlement. The principle of law relied upon by Dr S. Maitra has, therefore, no application to the facts of this case.

20. Dr. Maitra for the workmen contended that while dealing with the question of revision of wage-scales technical considerations of res judicata on behalf of B.P.T. should not be allowed to hamper the industrial arbitration. But in this case the bar to the demanded revision is of the subsisting mutual settlement between the parties entered into on 4th January, 1981. Therefore, the question of applying the principle of res judicata liberally does not arise at all. The Union has demanded revision of the pay scales of engine Drivers with retrospective effect from 1-1-1974, (Vide its statement of Claim). The B.P.T. contended that ordinarily, effect is given to the revision from the date of the reference or, the most, from the date of the demand. It is useful to note that the demands agreed to by the parties and referred to me for arbitration do not contain the prayer regarding the retrospective effect later mentioned in the statement of claim. Ordinarily, effect is given to the revision, if any, from the date of the reference and in some appropriate cases from the date of demands. In this case, I do not find any force in the demands of the workmen and hence I do not think it necessary to dwell on this question any further. I may further add that the financial position of the employer to bear the burden of the demands is not seriously disputed.

21. Having regard to these considerations, I think that the



demands of the workmen for revision of their pay scales have no substance and they are not just and tenable. I therefore, dismiss the demands and make an Award accordingly.

F. H. LALA, Arbitrator.  
[No. L-3113(2)/81-DIV(A)]

102, Sunflower, Cuffe Parade Reclamation,  
Colaba, Bombay 400 005.  
Date : 14th June, 1982

**S.O. 2486.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No 1, Bombay, in the industrial dispute between the employers in relation to the management of Messrs Muneer Marine, Ship Repairers in Mormugao Harbour and their workman, which was received by the Central Government on the 19th June, 1982.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

Reference No. CGIT-6 of 1981

#### PRESENT:

Justice M. D. Kambl Esqr., Presiding Officer.  
Reference No. CGIT-6 of 1981

#### PARTIES:

Employers in relation to M/s. Muneer Marine, Goa.

AND

Their Workman

#### APPEARANCES:

For the Employer—Mr. G. D. Samant, Advocate

For the Workman—Mr. A. P. Lavande, Advocate

INDUSTRY: Ports & Docks. STATE: Goa, Daman & Diu,  
Bombay, dated the 31st May, 1982

#### AWARD

The Government of India, Ministry of Labour, by order No. L-36012(2)/81-DIV(A) dated 31st March, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, have referred to this Tribunal for adjudication an industrial dispute between the Employers in relation to M/s. Muneer Marine, Ship Repairers in Mormugao and their workman in respect of the matters specified in the schedule mentioned below:—

#### SCHEDULE

"Whether the management of Messrs Muneer Marine, Ship Repairers in Mormugao Harbour are justified in terminating, with effect from 6th December, 1979, the services of Shri K. Chandrangadan, Welder, and in not paying to his Overtime Allowance at double the rate of wages and bonus for the period from 1st February, 1979 to 6th December, 1979? If not, to what relief is the concerned workman entitled?"

2. The workman K. Chandrangadan was employed on probation as Welder-cum-Cutter and Plater with effect from 1st February, 1970, on a pay of Rs 500 per month. His service conditions were governed by the appointment letter dated 29th January, 1979. The appointment was subject to six months' probationary period. After the completion of this probationary period the services of the workman were neither terminated nor he was confirmed. The services of the workman were terminated by the employer's letter dated 8th November, 1979, informing the workman that his services will be terminated from 6-12-1979. He was asked to collect all his due from the office on 7-12-1979.

3. The workman filed statement of claim alleging that his services were illegally terminated without any proper enquiry or charge-sheet. The workman pleaded that no proper calculations of his overtime were made and he was deprived of about Rs. 3,200/- as the overtime was calculated at the single rate. The workman further pleaded that the manage-

ment, under their appointment letter was supposed to pay him a bonus for the year 1979 at the rate of 10 per cent which is not paid to him. This amount comes to Rs. 500/-. The workman maintained that his termination was illegal and was entitled to reinstatement with all back wages and continuity of service.

4. The workman amended his statement of claim so as to contend that the purported termination of his services by Shri T. S. Bhatia, the Chief Engineer, was illegal and without jurisdiction in as much as the said Shri Bhatia had no authority in law or otherwise to terminate the services of any workman employed by M/s. Muneer Marine.

5. The employer in its written statement pleaded as follows. The services of the workman were terminated giving one month's notice although he was a probationer and not confirmed in the employment. No enquiry or charge-sheet was necessary in this case. As regards the claim for overtime the same has already been paid to the workman as per service conditions and nothing remains to be paid on this account. The workman was not entitled to bonus as the management has not paid bonus for the year 1979 to any workman. The employer is registered with Small Scale Industries and started in 1978 only, and is exempted under the Bonus Act. However, the workman who had completed one year's service and continued in employment were paid 10 per cent ex-gratia payment as per service condition. The workman had completed only 10 months of service and, therefore, he was not entitled to ex-gratia payment as per service conditions, and therefore he was not paid ex-gratia payment. The employer contended that the claim for overtime wages and bonus was not covered by Section 2-A of the Industrial Disputes Act. On these pleas the employer prayed that the Reference be dismissed.

6. The workman was appointed subject to six months' probationary period. After the expiry of this period the services of the workman were neither terminated nor he was confirmed. Now, the letter of termination of the services of the workman (exhibit-W-4) is in the following terms:—

"It has been found that you have misbehaved your superior on 6-11-79. When you were told to give apology letters to Engineer incharge and to the Company, you refused to give the same.

Now your services will be terminated from 6th December, 1979. You can collect all your dues from office on 7th December, 1979, during working hours."

Admittedly, no domestic enquiry was held against the workman before terminating his services. It is contended for the employer that no charge-sheet or enquiry was necessary in this case. This contention is absolutely untenable. The text of the letter of termination (exhibit W-4) shows that the charge was levelled against the workman that he had misbehaved with his superior on 6th November, 1979 and when he was told to give apology letter to Engineer incharge and to the Company the workman refused to do so. It will thus be seen that in the letter of termination itself there is a clear allegation of misconduct on the part of the workman. The termination of his services should, therefore, have been proceeded by a departmental enquiry. The discharge of the workman is clearly punitive in character. The employer did not lead any evidence of misconduct in the proceedings before this Tribunal. The employer has examined one witness to justify the termination of the services of the workman. No permission was sought to adduce evidence for misconduct nor any evidence was in fact led. Under these circumstances, the order of termination of the services of the workman which is of punitive character must be set aside.

7. Mr. Samant for the employer has not pressed his contention that the claim for overtime wages and bonus is not covered by Section 2-A of the Industrial Disputes Act. The learned counsel for the workman submitted that the claim for overtime wages and the bonus can be combined in a Reference against the order of discharge or dismissal. However, so far as overtime wages are concerned it is not in dispute that the overtime is paid on the basis of the terms mentioned in the letter of appointment. It is contended for the workman that overtime should have been paid at double the normal rate of wages. However, no any provi-

sion of law was shown in support of this submission. The claim for additional overtime wages must, therefore, be rejected.

8. As regards bonus, the employer contended that the workman who had completed one year's service and continued in employment were paid 10 per cent *ex gratia* payment. Since the workman in this Reference had completed only 10 months of service he was not entitled to *ex gratia* payment. The letter of appointment (exhibit W-1) will, however, show that a provision was made for the payment of bonus in the following terms:—

"Instead of the minimum bonus of 8.33 per cent as required, you will be paid at the rate of 10 per cent of your basic wages P.A. or pro rata, irrespective of our profit/loss. This is non-negotiable."

It will thus be seen that there was an agreement for payment of bonus at the rate of 10 per cent of the basic wages per annum or pro rata. The workman was, therefore, in my view, entitled to the payment of bonus at the rate of Rs. 50 per month. The bonus for 10 months will come to Rs. 500.

9. One of the contentions taken up by the workman was that the Chief Engineer, Mr. T. S. Bhatia of the employer had no authority in law or otherwise to terminate the services of the workman. The letter of termination (exhibit W-4) is signed by Mr. T. S. Bhatia. Witness Mr. Basant Kumar Mody (exhibit E-1) who is the Proprietor of the concern has stated in his deposition that Mr. Bhatia had full authority to terminate the services of the workman. It will be seen that the letter of appointment (exhibit W-1) is signed by Mr. T. S. Bhatia. The contention of the workman that Mr. T. S. Bhatia had no authority to terminate the services of the workman cannot be accepted especially when the employer says that Mr. Bhatia had full authority to terminate the services of the workman.

10. The next question is whether the workman should be reinstated. Now, the workman was appointed as a probationer. His probationary period was continued. He was not confirmed. It would appear from the letter dated 10th October, 1979 (exhibit W-2) that the workman was once warned for his refusal to work overtime in connection with unloading the things from Maratha Transhipper on the evening of 21st September, 1979. It is open to the employer to terminate the services of the workman if his work was not to be found satisfactory. He was not confirmed. He had worked only for 10 months. During that period his conduct was found not to be satisfactory. In the circumstances of the case, the termination of the services of the workman should have been preceded by an enquiry as the letter of termination itself alleged misconduct. The question for consideration however is whether the order of reinstatement should be made in favour of the workman. It is true that reinstatement is a normal rule in the cases of wrongful and illegal discharge and dismissal. That would, however, be not inexorable or absolutely rigid in application. The question whether reinstatement should be awarded or not has to be decided after balancing relevant factors and without adopting legalistic or doctrinaire approach. This approach has been approved by the Supreme Court in various cases. See *Assam Oil Company Ltd. v. Its workmen* (1960 I L.L.J. 587) and *Samnuggur Fute Factory Company Ltd. v. Their workmen* (1964 I L.L.J. 634). It has been held by the Supreme Court that if the case presents certain unusual or exceptional features so as to make reinstatement inexpedient or improper, to meet the ends of justice, the tribunal has discretion to award adequate monetary compensation instead of reinstatement.

11. In the case of *Utkal Machinery Ltd. v. Miss Santi Patnaik* (1966 I L.L.J. p. 398) the termination of the services of the probationer was held punitive and mala fide. On that finding the Labour Court awarded two years salary as compensation to the concerned employee. The Supreme Court held that the finding of the Labour Court that the discharge of the concerned employee was mala fide and in the circumstances was justified. The Supreme Court, however, considered the fact that the concerned employee had put only four months' service and reduced the amount of compensation to one year's salary.

12. In the instant case there is material to show that the employer was not satisfied with the behaviour and conduct of the workman. The workman was not confirmed. He had

put in only 10 months' service. In the facts and circumstances of this case, therefore, I am of the view that a compensation equivalent to one year's salary, instead of reinstatement would meet the ends of justice. In conclusion, I hold that the order of termination of the services of the workman was punitive in nature and, therefore, that order made without domestic enquiry is liable to be set aside. In the facts and the circumstances of the case the workman is, however, not entitled to reinstatement. Monetary compensation equivalent to one year's salary which comes to Rs. 6,000 should be paid to the workman. The claim of the workman for additional overtime wages stands rejected. The workman will, however, be paid bonus as stipulated in the letter of appointment in the sum of Rs. 500. These amounts should be paid to the workman within two months from the date of publication of this Award. The amounts should carry interest at 9 per cent per annum if the same is not paid to the workman within the stipulated time.

13. Award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer

[No. L-36012/2/81-D. IV(A)]

T. B. SITARAMAN, Desk Offl

New Delhi, the 23rd June, 1982

S.O. 2487.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Dhanbad in respect of a complaint under Section 33A of the said Act filed by Shri Ram Kanabor Singh, Dhansar/KOCP of Messrs Bharat Coking Coal Limited, Dhanbad against the management of Dhansar/KOCP of Messrs Bharat Coking Coal Limited, Dhanbad, which was received by the Central Government on the 15th June, 1982.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT :

Shri J. P. Singh, Presiding Officer.

Complaint Case No. 2/81

In the matter of a complaint under Section 33A of the I. D. Act, 1947.

(Arising out of Reference No. 39/81)

PARTIES :

Shri Ram Kanabor Singh, Dhansar/KOCP of M/s. Bharat Coking Coal Limited, Dhanbad—Complainant.

VS.

The management of Dhansar/KOCP of M/s. Bharat Coking Coal Ltd., Dhanbad—Opp. Party.

APPEARANCES :

On behalf of the complainant—Shri D. Narsingh, Advocate.

On behalf of the Opp. party—Shri B. Joshi, Advocate.  
STATE : Bihar INDUSTRY : Coal

Dhanbad, 11th June, 1982

## AWARD

This is a complaint under S. 33A of the I.D. Act, 1947. This complaint has arisen out of reference No. 39/81 of this court. The complainant is the concerned workman in the reference, who demanded that he should be promoted to clerical grade I/special grade from the date on which his juniors were promoted, and should be designated as loading supervisor from February, 1977. During the pendency of this reference the management of Dhansar KOCP of Messrs Bharat Coking

Coal Limited by order dated 19-11-1981 of the Deputy Chief Mining Engineer passed a revengeful order directing him from his permanent status to relieving status of a relieving or badli attendance clerk against a leave vacancy. That letter is annexure A to the complaint petition. The prayer is that the Tribunal may be pleased to direct the CCL to restore his position and to do justice in his case.

2. The management on the other hand has taken the plea that the concerned workman was in grade II and was never promoted to the post of loading supervisor by the impugned order the Dy. CME dated 19-11-81 did not change the status of the concerned workman in any manner and so this complaint was uncalled for.

3. During the pendency of this complaint, the reference case No. 39/81 has been disposed of. On the basis of the documents produced, this Tribunal held that for a pretty long time the concerned workman had worked in a superior capacity of a loading incharge or a loading supervisor by order of the management issued from time to time. By an award in that case he was ordered to be paid for the work of superior post held by him. It was however made clear that there was no question of his promotion from grade II to grade I which was a matter directly within the competence of the management of M/s. Bharat Coking Coal Ltd.

4. It will appear from the award in reference case No. 39/81 that while holding the post of grade II the concerned workman was from time to time asked to perform the duties of loading supervisor which is in grade I. It does not mean that by working over the post of grade I he was promoted to grade I. It may be further mentioned that the concerned workman could not establish in the reference case that he was superseded by his juniors. It is clear that he held the post of grade II and he continued to hold the post of grade II. What has been done is that by virtue of the impugned order he is no longer required to work as loading supervisor or loading incharge. Since the management is competent to pass such an order, no fault could be found with this order, and so no direction could be given to the management.

5. Shri D. Narsingh, Advocate appearing on behalf of the workman is conscious about the position of law and so virtually he has refrained from placing any view to the contrary in order to establish his complaint. He has however pointed out that a workman who has worked for a pretty long time as loading supervisor successfully and in the best interest of the management should not be asked to work over a post of grade II. Shri B. Joshi, Advocate appearing for the management has been fair enough to point out that on his advice the management is seized with the question of placing the concerned workman in grade I which he hopes would be done soon. In view of the above submissions here is nothing further to be ordered by this court. Suffice is to say that in this complaint no relief could be granted to the concerned workman.

[No. L-20025(6)]82-DIII(A)]

J. P. SINGH, Presiding Officer

**S.O. 2488.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Basdeopur Colliery of Messrs Bharat Coking Coal Limited, Post Office Kasunda, District Dhanbad and their workmen, which was received by the Central Government on the 15th June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 4 of 1981

PRESENT :

Shri J. P. Singh, Presiding Officer.

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Basdeopur colliery of Messrs Bharat Coking Coal Limited, Post Office : Kusunda, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers.—Shri B. Joshi, Advocate.

On behalf of the workmen.—Shri B. B. Pandey, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 10th June, 1982

AWARD

This is an industrial dispute under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012 (153)/80-D.III (A) dated 23rd January, 1981 has referred this dispute to this Tribunal for adjudication under the following terms :

SCHEDULE

"Whether the demand of the workmen of Basdeopur colliery of Messrs Bharat Coking Coal Limited, Post office Kusunda, district Dhanbad that Shri Krishna Kumar Gupta should be regularised as Compounder with effect from the 16th October, 1978 is justified ? If so, to what relief is the said workman entitled ?"

2. Soon after the receipt of the reference notices were served upon the parties to file their written statement which the parties accordingly filed. Thereafter the parties took some time to file a settlement. Ultimately on 9-6-1982 the parties filed a settlement in terms of which the concerned workmen will be regularised as a compounder w.e.f. 1-1-1982 and he will not be entitled to any difference of wages prior to 1-1-1982. Since the terms are acceptable to both the parties, I accept the settlement and pass an award accordingly. The settlement will form part of the award.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

Reference No. 4 of 1981

Employees in relation to the management of Basdeopur Colliery

AND

Their workmen

Petition of Settlement

The humble petition on behalf of the employees and the workmen above named most respectfully sheweth :

1. That the present dispute arises on the demand of the union to regularise Sri Krishna Kumar Gupta as copounder with effect from 16-10-1978.
2. That under the wage Board recommendation the compounders are placed in Grade 'E' and Grade 'D'. When any compounder possessed recognised qualifications, he is placed in Grade 'D' and all other compounder are placed in Grade 'E'.
3. That the concerned workman is working as dresser and is in Grade 'B'.
4. That after several discussions the dispute has been amicably settled on the following terms, —

TERMS OF SETTLEMENT

- (a) That the concerned workman should be regularised as compounder in Grade 'E' with effect from 1-1-82.
- (b) That for the purpose of his promotion from grade 'E' to Grade 'D' he should be deemed to be in grade



'E' from 16-10-1978 i.e. his seniority will be maintained from 16-10-1978.

(c) That the concerned workman will be promoted to Grade 'D' as soon as he produces a recognised certificate from the medical council of India.

(d) That the concerned workman will not be entitled any difference of wages between grade 'E' and grade 'H' for the period prior to 1-1-1982.

5. That in view of the above settlement there remains nothing to be adjudicated.

6. That the terms of the settlement are fair and proper.

Under the fact and circumstances stated above the Hon'ble Tribunal will be graciously pleased to pass the Award in terms of the Settlement.

For the Workmen

For the Employees

Sd/- Illegible

Sd/- Illegible

9-6-82

9-6-82

J. P. SINGH, Presiding Officer

[No. L. 20012(153)80-D.III(A)]

A.V.S. SARMA, Desk Officer

New Delhi, the 24th June, 1982

**S.O. 2489.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bangalore in the industrial dispute between the employers in relation to the management of Shri E. Muniswami, Raising Contractor, B.R.H. Iron Ore Mines of M/S Dalmia International, Patelnagar, Hospet P. O., Bellary District and their workmen, which was received by the Central Government on 14th June, 1982.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA  
BANGALORE.

Dated this the 9th day of June 1982

PRESENT :

Sri V. H. Upadhaya, B.A.LLB.—Presiding Officer.

Central Reference No. 3 of 1975

I PARTY

Workmen represented by the President, Bellary District Mine Workers' Welfare Union (Dalmia Unit), Hospet P.O., Bellary Dist.

—VS—

II PARTY

Shri E. Muniswami, Raising Contractor, B R H Iron Ore Mines of M/s. Dalmia International, Patelnagar, Hospet P.O. Bellary Distt.

APPEARANCES :

For the I Party :— None Present.

For the II Party :— Sri B. T. Parthasarathy, Advocate, Bangalore.

REFERENCE :

(Government Order No. L-26011/13R74-LR-IV/D dated 27-1-1975)

AWARD

The Central Government has made a reference of the dispute between the parties for adjudication on the following points :—

"Whether the action of Sri E. Muniswamy, Raising Contractor of Bharata Ravana Haruvu Iron Ore Mines of Messrs Dalmia International, Hospet in terminating the services of Sarva Sri M. D. Ismail and S D. Mahaboob, sorters, with effect from thirty

first of March, 1974 is justified ? If not, to what benefit are these workmen entitled ?"

2. On behalf of the workmen involved in the dispute, one U. B. Theertha Rao claiming to be the President of the Iron Ore Workers Union of Bellary District submitted a statement on 13th March, 1975 contending that the termination of the services of the said two employees was bad as they had put in service of 293 days and yet the provisions of Sec. 25F of the Industrial Disputes Act were not complied with. The said U. B. Theertha Rao submitted an application on 12th December, 1975 for impleading the Iron Ore Workers Union of which he is the President on the ground that the original I Party union was dissolved and the workmen under the II Party had joined his union. The Secretary of the Iron Ore Workers Union had engaged Sri M. C. Narasimhan, an advocate to appear in the proceedings. But this Tribunal by its order dated 24th June, 1976 dismissed the application and further held that it was an individual dispute and was not converted into an industrial dispute by proper espousal by the I Party union. It further observed that it could be considered as an individual dispute and ordered notice of hearing to individual workman. The said workman did not appear in spite of several notices and finally a paper publication was ordered. Yet they did not make any appearance.

3. The II Party submitted his counter statement contending that the workman M. D. Ismail was in service for 267 days and the other workman Mahaboob was in service for 71 day only and their services were terminated as they were no longer required by the II Party. He adds that there was no termination for any misconduct and hence there was no question of any charge-sheet or enquiry to be held against them. He had also raised the contention that the said workmen were never the members of any union and no union had espoused their cause.

4. The following issues were framed :—

- (1) Whether the II Party is justified in terminating the services of M. D. Ismail and S. D. Mahaboob ?
- (2) Whether the reference is not maintainable for the reasons that the I Party does not represent the II Party's workmen?
- (3) Whether the reference is not maintainable for the reasons that the order of reference was not proceeded by a demand on the II Party management?

Decision and Reasons :

5. As pointed out above it is only the said U. B. Theertha Rao who filed the statement of demands on behalf of the I Party by claiming himself to be the President of the Iron Ore Worker Union. The said Iron Ore Workers Union was not allowed to be impleaded and taken part in the proceedings before this Tribunal by an order dated 24-6-76. The workmen themselves have not come forward with any claim or evidence to say that their termination is unjustified and that they should be granted any relief. Hence all the issues and points of reference are answered against them. Award passed accordingly. No costs.

V. H. UPADHYAYA, Presiding Officer  
[No. L-26011/13/74-LRIV/D.II(B)]

**S.O. 2490.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal, Bangalore in the industrial dispute between the employers in relation to the management of M/s. Dalmia International, Patelnagar, Hospet P.O., District Bellary and their workmen, which was received by the Central Government on 17th June, 1982.

BEFORE THE INDUSTRIAL TRIBUNAL IN  
KARNATAKA, BANGALORE

Dated this the 11th day of June, 1982

PRESENT :

Sri V. H. Upadhaya, B.A., LL.B., Presiding Officer.  
Central Reference No. 2 of 1975

## I PARTY :

Workmen represented by The President, (Dalmia Unit),  
M/s. Bellary District Mine Workers Welfare Union,  
Hospet P.O. Bellary District.

Vs.

## II PARTY :

The Branch Manager, M/s. Dalmia International, Patel-  
nagar, Hospet P.O., District Bellary.

## APPEARANCES

For the I Party—None present.

For the II Party—Sri B. T. Parthasarathy, Advocate,  
Bangalore.

## REFERENCE

(Government Order No. L26012/6/74-LR. IV dated 10-1-75)

## AWARD

The Central Government has made a reference of the dispute between the parties for adjudication on the following points :—

"Whether the action of Messrs Dalmia International, Hospet, management of B.R.H. Iron Ore Mines in dismissing Sri M. Fakrudin, Fitter with effect from the 2nd May, 1974 is in order. If not to what benefit is Shri M. Fakrudin entitled?"

2. The I Party submitted its statement signed by one U. B. Theertha Rao claiming to be the President of the Dalmia Unit of Bellary District Mine Workers Welfare Union. He has raised several contentions as regards the correctness of the enquiry against the workman contending that the authority who issued the charge-sheet had no power to do so. The charge is vague and falsely made with a view to penalise the workman for his trade union activities and the enquiry was an empty formality which was held without observing the principles of natural justice. It is added that the punishment is disproportionate to the misconduct alleged.

3. The II Party submitted its statement denying the allegations. It filed an additional statement to say that the I Party union is not competent to seek a reference as the workman was not a member of it and the union had no representative character to espouse the cause of the workman. It also adds that either the union or the workman had not approached the II Party earlier with any demand before approaching the Conciliation Officer and on this ground the reference may be rejected.

4. The following additional issues were framed :—

1. Whether the II Party is justified in terminating the services of Sri M. Fakrudin?
2. Whether the reference is not maintainable for the reasons that the I Party does not represent the II Party's workmen.
3. Whether the reference is not maintainable for the reason that the order of reference was not preceded by a demand on the II Party management?

5. On 2-12-1975, the said U. B. Theertha Rao filed an application on behalf of Iron Ore Workers Union claiming to be its President and contending that the Dalmia Unit of the I Party was dissolved in order to deprive the workman of their legitimate benefit and the said workman had joined this union and the union have the authority to represent the workman. This Tribunal by its order dated 24-6-76 held that as the Dalmia Unit was dissolved by the I Party there is no espousal or support of the cause by the union of workman and therefore the dispute must be treated as an individual dispute and not an industrial dispute. It ordered notice to the workman treating it as an individual dispute and dismissed the claim of the Iron Ore Workers Union to represent the workman. The said workman did not appear before this Tribunal in spite of several notices and even a paper publication.

6. On 6-3-82 the General Secretary of the I Party Union sent a memo by post to say that in view of the order by this Tribunal mentioned above the case may be closed as the  
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I Party union by itself withdraws the same as the Dalmia Unit was not in existence on the date of the reference. Under the above circumstances, it must be taken that the workman remains unrepresented in the case.

7. The enquiry papers are produced. On going through them I do not see that any of the objections as regards the enquiry taken up in the claim statement is sustainable. The enquiry report says that in spite of the opportunity given to the workman he refused to cross-examine the management's witnesses and to get the assistance of a co-worker. By taking such an attitude it is not open for the workman to challenge the correctness of the domestic enquiry. The allegation against him in the charge is of insubordination and the Enquiry Officer was fully justified in coming to the conclusion that it has been established. Under the above circumstances, it cannot be held that the punishment imposed was disproportionate to the misconduct alleged against him.

8. The contention that the person who issued the charge-sheet had no authority to do so has not been established. The II Party has stated in its counter statement that though it had applied for approval of its action taken under Section 33(2)(b) of the Industrial Disputes Act, before whom the demand made was pending it is not in fact necessary to do so as the workman was not concerned in that dispute. As there is no evidence on behalf of the workman to disprove this allegation, I hold that the enquiry as well as the findings and the order of dismissal are all fully justified. The above issues and the points of reference are answered against the I Party workman and an award passed accordingly. No costs.

V. H. UPADHYAYA, Presiding Officer

[No. L-26012/6/74-LR-IV/D.II(B)]

KANWAR RAJINDER SINGH, Under Secy.

New Delhi, the 24th June, 1982

S.O. 2491.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of State Bank of Travancore, Trivandrum and their workman, which was received by the Central Government on the 21st June, 1982.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.,  
PRESIDING OFFICER

INDUSTRIAL TRIBUNAL, TAMIL NADU

(Constituted by the Government of India)

New Delhi, the 14th day of June, 1982

Industrial Disputes No. 18 of 1982

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of State Bank of Travancore, Trivandrum).

BETWEEN

The workmen, represented by

The Secretary,

Kerala Pradesh Bank Workers' Organisation,  
T.D. Road, Ernakulam, Cochin-11.

AND

The Managing Director,  
State Bank of Travancore,  
Head Office, Trivandrum-1.

Reference.—Order No. L-12012/174/81-D.II(A), dated 27-2-1982 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Tuesday, the 8th day of June, 1982 upon perusing the reference claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K. N. Shenoy, President, National Organisation of Bank Workers appearing for

the workmen and the Management being absent and this dispute having stood over till this day for consideration, this Tribunal made the following :—

#### AWARD

This is an Industrial Dispute between the workmen and the Management of State Bank of Travancore, Trivandrum-1 referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-12012/174/81-D.II(A), dated 27th February, 1982 of the Ministry of Labour, in respect of the following issue :

"Whether the management of State Bank of Travancore was justified in discharging Shri P. V. Sasidharan Pillai from services of the Bank with effect from 10-3-80, and if not, to what relief is the workman entitled?"

2. Facts leading upto this dispute are as follows : The Management is State Bank of Travancore, Trivandrum-1, Kerala State. The reference made by the Government of India, Ministry of Labour for adjudication relates to the discharge of Thiru P. V. Sasidharan Pillai from the services of the Management-Bank with effect from 10-3-1980. The claim statement on behalf of the aggrieved workman has been filed by Kerala Pradesh Bank Workers' Organisation, T.D. Road, Ernakulam, Cochin-682011, Kerala State. The workman concerned in this dispute Thiru P. V. Sasidharan Pillai was employed as Cashier in the Management-Bank from 17-2-1972. While he was working at the Attingal Branch of the Management-Bank, he was placed under suspension with effect from 6-6-1977. Ex. W-1 is the order of suspension issued to the workman. He was served with a show cause memo on 23-8-77 vide Ex. W-2. Ex. W-3 is the explanation submitted by the workman on 22-9-1977. The workman concerned, namely, Thiru P. V. Sasidharan Pillai has also been examined as W.W.1 before this Tribunal. Ex. W-4 is the final charge memo issued to W.W.1 on 7-12-1977. Page 3 of Ex. W-4 notifies that the enquiry will be held at Attingal Branch of the management(Bank by Thiru P. S. Abraham, 'A' Grade Officer of the Bank. It is also stated that the said Officer would specify the time and date of the enquiry. Clause (4) of Ex. W-4 also points out that if the delinquent desires to bring any representative of a recognised Trade Union of employees of the Bank to assist him in the enquiry, he may do so after furnishing the name and address of such individual to the Enquiry Officer atleast three clear days before the enquiry commences. Clause (5) says that the delinquent will be given full opportunity to examine and cross-examine the witnesses and to produce evidences/witnesses on his own behalf. The enquiry however was conducted by Thiru V. Ganapathy, another Officer of the Bank and the enquiry commenced on 16-1-1978 and was concluded on 4-7-1979. At this juncture, it will be pertinent for me to point out the negative attitude adopted by the Management in the conduct of the dispute before this Tribunal. No doubt, in response to the summons issued by this Tribunal which has been received by the Management on 13-3-1982 the Management-Bank did appear before this Tribunal at Nagercoil Camp on 5-4-1982. In the presence of the Management this Tribunal had directed the Petitioner-Union to file the claim statement before this Tribunal by 20-4-1982 at Madras. On 20-4-1982, Petitioner Union filed their claim statement before this Tribunal at Madras. But the Management-Bank did not appear. From the claim statement filed by the Union before this Tribunal, it can be seen that a copy of the claim statement had been forwarded to the Management-Bank. On 20-4-1982, this Tribunal adjourned the dispute to 4-5-1982 calling for the counter statement of the Management-Bank. Counter statement of the Management was received in this office by post on 3-5-1982. Again on 4-5-82, the Management did not appear before this Tribunal, but the Tribunal had directed the parties to file their document by 26-5-1982. On 26-5-1982, the Petitioner-Union filed their documents and the Management did not appear. However, on 26-5-1982 this Tribunal posted the enquiry of the dispute to 8-6-1982. On 8-6-1982 also the Management did not appear and did not file any documents on their behalf. It may be pertinent to point out that the issue referred to this Tribunal for adjudication by the Government of India, Ministry of Labour calls upon this Tribunal to give a finding as to whether the discharge of Thiru P.V. Sasidharan Pillai from the services of the Management-Bank with effect from 10-3-1980 is justified. Therefore the burden is mainly on the Management-Bank to justify their action in having dispensed with the services of Thiru P.V. Sasidharan Pillai from the Bank with effect from 10-3-1980. It is the Management who has to produce the original documents of domestic

enquiry, findings and the ultimate decision taken by the Management. But this Tribunal has been denied the privilege of having the benefit of the cooperation of the Management in this direction. Therefore it was that the worker concerned who examined as W.W.1 had to produce the entire domestic enquiry proceedings before this Tribunal for perusal. But as the domestic enquiry proceedings were in Malayalam and W.W.1 was unable to give English translation immediately to the Tribunal. In the context of the unhelpful attitude adopted by the Management, the petitioner-Union has to produce the available copies in their custody and possession so that the enquiry before this Tribunal need not be delayed any longer.

3. Ex. W-6 is the letter from the Management-Bank to the workman W.W.1 enclosing the summary of the enquiry proceedings and this is found to be in English although undated. The enquiry conducted by the Management is based on the charges found in Ex. W-4 dated 7-12-1977. As per the charge under Ex. W-4 the delinquent had been charged with 19 acts of misfeasance and malfeasance and nonfeasance. As per the report of the Enquiry Officer enclosed in Ex. W-6, it can be gathered that out of the 19 charges levelled against the workman, 12 have been held proved and the other charges not proved. The disciplinary authority accepting the findings of the Enquiry Officer issued a show cause notice to W.W.1 under Ex. W-7 dated 14-12-1979 calling for his explanation as to why a punishment of dismissal should not be awarded to him Ex. W-8 is the explanation submitted by W.W.1 on 7-1-1980. Ex. W-9 is the ultimate order passed by the disciplinary authority deciding to discharge W.W.1 without notice from the service of the Bank in terms of paragraph 19 (6) (c) and paragraph 19 (12) (c) of the First Bipartite Settlement. Ex. W-9 is the order of discharge passed by the disciplinary authority on 10-3-1980. Aggrieved by the order of the disciplinary authority, the workman preferred an appeal before the Assistant General Manager of the Bank on 23-3-1980 vide Ex. W-10. It should be noted that the appeal has been preferred by the workman within the stipulated time. The appellate Authority gave a personal hearing to W.W.1 vide Ex. W-13 dated 17-9-1980. However, eventually the Appellate Authority confirmed the order of discharge of W.W.1 vide Ex. W-14 dated 3-10-1980. On the rejection of the appeal the Petitioner-Union, namely, Kerala Pradesh Bank Workers' Organisation, an affiliate of National Organisation of Bank Workers raised a dispute before the Assistant Labour Commissioner (Central), Ernakulam, Cochin-682016. Ex. W-15 is the conciliation failure report submitted by him and ultimately the Government of India, Ministry of Labour has made the present reference to this Tribunal for adjudication.

4. Points that arise for determination are :

- (i) Whether the domestic enquiry conducted by the Management-Bank is fair and proper;
- (ii) Whether the findings of the Enquiry Officer are perverse or based on no materials; and
- (iii) whether the worker concerned is entitled to invoke Section 11-A of the Industrial Disputes Act, 1947.

From the narration of facts in paragraph supra it is clear that by 7-12-1977 the workman concerned has been apprised of the charges levelled against him by the Management vide Ex. W-4. Thereafter the domestic enquiry commenced from 16-1-1978. The witnesses proposed to be examined by the Management in support of the charges against the workman had been furnished in Ex. W-5 on 24-1-1978. Throughout the enquiry, the workman and the assistance of a Co-employee. The witnesses examined by the Management were also cross-examined by the workman. The workman had also examined his defence witnesses with regard to certain charges. The domestic enquiry was over by 4-7-1979. No doubt, in the course of the enquiry, Thiru S. Murali who was the workman's adviser had been promoted and transferred elsewhere and thereafter one Thiru S. Ananthapadmanabhan, Clerk attached to the Accounts Department, Head Office had assisted the workman in the conduct of the enquiry through the end. The proceedings had taken place only in Malayalam known to the workman although he knows English also. By no stretch of imagination can it be said that the enquiry against the workman was hurried through. The delinquent had been offered all reasonable opportunities to confront the charges levelled against him. It is not as though the findings of the Enquiry Officer are final. The disciplinary authority has accepted the findings of the Enquiry Officer and issued a show cause notice to W.W. 1



proposing the punishment of dismissal on 14-12-1979 under Ex. W-7. The workman has submitted his explanation on 7-1-1980 Ex. W-8. Thereafter alone the ultimate decision was taken by the disciplinary authority on 10-3-1980 discharging W.W.1 forthwith from the services of the Management-Bank. Aggrieved workman has also availed himself of the opportunity of preferring an appeal before the Assistant General Manager of the Bank on 23-3-1980—vide Ex. W-10. The Appellate Authority also gave a personal hearing to the concerned workman—vide Ex. W-13 and finally passed the order on 3-10-1980—vide Ex. W-14 confirming the order of discharge of W.W. 1. Under these circumstances, on the materials now placed before me I have little hesitation to find that the domestic enquiry held against the worker concerned in this dispute was fair and proper.

5. That leads me to the consideration of the next question as to whether the findings of the Enquiry Officer are based on materials placed before him or if the findings can be held to be perverse. As already pointed out even the Enquiry Officer had held that out of the 19 charges levelled against the workman, only 12 had been proved. The 12 proved charges are items (ii) to (vii), (ix), (xi) and (xii), (xiv) to (xvi) out of the 19 charges listed in Ex. W-4. Suffice for me to deal with the charges held to be proved against the workmen. However, it will be pertinent to point out that the main charge levelled against the workman, namely Charge No. (i) a cash shortage of Rs. 1000 has been held to be not proved. The other charges said to have been proved are very minor and are not gross by any standard. As a matter of fact it was on this main charge the workman was placed under suspension from 6-6-1977—vide Ex. W-1. The order of suspension under Ex. W-1 is dated 6-6-1977. Therefore, it is to be noted that all the 19 charges found in Ex. W-4, the charge sheet dated 7-12-1977 related to incidents prior to the date of suspension, namely 6-6-1977. But apart from Charge No. 1, the other 18 charges were not specifically referred to in Ex. W-1. On 23-8-1977, these 19 charges were given to the workman under Ex. W-2. Therefore it is obvious that more than two months from the suspension of the workman, various minor charges had been levelled against the workman concerned. Out of the proved charges as held by the Enquiry Officer I may only point out the following charges which are vague and does not give any details of incriminating matter against the delinquent charge Nos. (iv), (v), (vi), (xiv), (xv) and (xvi). Therefore, these charges will have to be simply ignored. These several vague charges without any details would also go a long way to probabilise the claim of W.W. 1 that because of his affiliation to the Petitioner-Union, the Management has not taken kindly to him and has come forward with this made up charges. On the materials now placed, I am inclined to accept his case and therefore for very trivial matters, the workman has been suspended first and eventually discharged from the services of the Bank for his trade union activities. It is also pointed out that in awarding the punishment, the disciplinary authority has not taken into account the previous record of the employee. W.W. 1 has stated that his previous record is clean and there is no evidence contra. This is in violation of clause 19(b)(c) of the First Bipartite Settlement and therefore the penalty imposed on the workman by the disciplinary authority as also confirmed by the Appellate Authority is unsustainable. Moreover, as per clause 19(12)(c) of the First Bipartite Settlement, even where sufficiently extenuating circumstances exist the misconduct may be condoned and in case such misconduct is of the 'gross' type he may be merely discharged, with or without notice or on payment of a month's pay and allowances, in lieu of notice. Here even according to the proven facts, by no stretch of imagination it can be said that any of the charges levelled against the concerned workman would tantamount to gross misconduct and therefore when the disciplinary authority discharges the workman concerned even without notice or pay there is obvious violation of specific clause of the First Bipartite Settlement. Looked at from any angle, I hold that the order of discharge of the workman is perverse. In the view take, it is unnecessary to advert to any recourse to Section 11-A of the Industrial Disputes Act, 1947.

6. In the result, an Award is passed holding that the action of the Management in discharging Thiru P.V. Sasi-

dharan Pillai from the Bank's service with effect from 10-3-1980 is unjustified. The concerned workman would be deemed to be in continuous service of the Management Bank even from 6-6-1977 till date with full back wages and other attendant benefits, etc.

The arrears of wages due and payable to the workman should be paid within two months from the date of the Award. I also direct the Management to pay a cost of Rs. 500 to the Petitioner-Union in conducting the enquiry at Madras all the way from Kerala.

Dated, this 14th day of June, 1982.

#### WITNESSES EXAMINED

For workmen : W.W. 1—Thiru P.V. Sasi-dharan Pillai.

For Management : None.

#### DOCUMENTS MARKED

For workmen

Ex. W-1|6-6-77—Suspension order issued to W.W. 1.

Ex. W-2|23-8-77—Show cause memo issued to W.W. 1.

Ex. W-3|22-9-77—Explanation of W.W. 1 to Ex. W-2.

Ex. W-4|7-12-77—Charge memo issued to W.W. 1.

Ex. W-5|24-1-78—Letter from the Enquiry Officer to W.W. 1 furnishing names of witnesses to be examined for the Bank.

Ex. W-6|28-11-79.—Letter from the Bank to W.W. 1 enclosing copy of the enquiry report.

Ex. W-7|14-12-79—Show cause notice issued to W.W. 1 proposing the punishment of dismissal.

Ex. W-8|7-1-80—Reply of W.W. 1 to Ex. W-7.

Ex. W-9|10-3-80—Order of discharge issued to W.W.1.

Ex. W-10|23-3-80—Appeal of W.W. 1 to the Assistant General Manager of the Bank. (Appellate Authority).

Ex. W-11—Postal acknowledgement for having received Ex. W-10 by the Appellate Authority on 7-4-1980.

Ex. W-12|8-9-80—Letter from W.W.1 to the Appellate Authority regarding his appeal with postal acknowledgement.

Ex. W-13|17-9-80—Letter from the Appellate Authority to W.W. 1 for personal hearing.

Ex. W-14|3-10-80—Order of the Appellate Authority confirming the order of discharge of W.W. 1.

Ex. W-15|4-6-81—Conciliation failure report.

Ex. W-16|10-5-77—Letter from the Bank to W.W. 1 regarding annual increment.

For Management : Nil.

T. SUDARSANAM DANIEL, Presiding Officer

[No. L-12012/(174)/81-D.II(A)]

N. K. VERMA, Desk Officer

